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Convention on the Elimination of all Forms of Discrimination Against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eleventh session

SUMMARY RECORD OF THE 193rd MEETING

Held at Headquarters, New York,
on Wednesday, 22 January 1992, at 10 a.m.

Chairperson: Ms. TALLAWY

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Consideration of reports submitted by States parties under article 18 of the Convention (continued)

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Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial, second and third reports of Honduras (CEDAW/C/5/Add.44, CEDAW/C/13/Add.39 and Amend.1 and CEDAW/C/HON/3)

1. At the invitation of the Chairperson, Ms. Rosales Paz (Honduras) took a place at the Committee table.

2. Ms. ROSALES PAZ (Honduras) said that Honduras was predominantly an agricultural country; women made up 50.3 per cent of the total population of 4.2 million. Sixty per cent of the population lived in rural areas.

3. Since 1979, Honduras had been experiencing rapid social and economic decline owing to the impact of the regional crisis on the most vulnerable sectors of its economy and population. Massive migration from the countryside to urban areas was one of the most serious problems facing the Government, as it placed an increased strain on social services. Although a substantial number of women from rural areas managed to survive in the cities by working in the informal sector, many others lacked employment or resorted to domestic service. The earnings of rural women in the informal sector were very low. In rural areas, women engaged mainly in unremunerated domestic activities, performing such traditional tasks as carrying water, bringing grain to the mill, collecting firewood and so on. The time devoted by women to unpaid and poorly paid labour prevented them from obtaining an education or contributing to their children's development or that of the community.

4. Despite the serious consequences of deforestation, including the lack of firewood and safe drinking water, it had so far proved impossible to enlist disadvantaged groups in efforts to protect the environment.

5. The difficulties facing Honduran women resulted from many factors, including the impact of the structural adjustment programmes which the Government had carried out with the support of the World Bank and the International Monetary Fund. Nevertheless, Honduras, together with its Central American partners, had developed national and regional action plans to improve the living conditions of its people, particularly women.

6. Within Central America, Honduras was the country most severely affected by the acquired immunodeficiency syndrome (AIDS) epidemic. In combating AIDS, the Government was focusing on control and detection efforts. Under the auspices of the Ministry of Health, counselling was provided to persons infected with the human immunodeficiency virus (HIV). In 1991, 350 middle-school teachers had been trained in sex education and AIDS prevention.

(Ms. Rosales Paz, Honduras)

7. The National AIDS Control Programme had developed strategies to prevent the transmission of the disease which were being implemented in various communities. Courses on sexuality, gender roles and other sexually transmitted diseases were being given not only to teachers and health-care professionals, but also to midwives and rural and working women through women's organizations. In particular, workshops for rural women focused on encouraging safe sexual practices and promoting economic independence.

8. The National AIDS Control Programme, in coordination with the National Cancer Control Programme, was conducting a campaign to urge women to have regular pelvic examinations and Pap smears for the purpose of detecting malignancies at an early stage.

9. According to data provided by the Ministry of Health, 1,417 AIDS cases had been registered by September 1991, representing more than half the number of cases in the region. Of those, 1,109 had been confirmed and 308 were provisional. The majority of those known to have AIDS were men, including homosexuals, while the remainder were women and children. The number of AIDS cases among women reflected their subordinate status and low self-esteem. Women did not attend to their basic health needs because their roles as mothers, wives, home-makers and nurturers robbed them of opportunities for self-realization.

10. Various projects had been carried out to improve the economic status of rural women through the establishment of mills, bakeries and shops, the improvement of marketing systems and the cultivation of basic grains. Other activities had concentrated on training, the promotion of organizational and leadership abilities among women and the expansion of adult literacy.

11. With regard to legislative reform, the Agrarian Reform Act had been amended to enable land title to be awarded to single and childless women. Efforts were also under way to revise the definition of sexual crimes in the Penal Code, which reflected outmoded and sexist concepts.

12. Turning to the question of social services, she said that the Government was providing direct subsidies to improve the health and nutrition of mothers and children in extreme poverty. Among the positive results of the project were improved school attendance rates. Another project, begun in 1991, had enabled 505 women in various regions to take courses in baking, dressmaking, the cultivation of basic grains and community and family vegetable gardens, poultry raising, basic accounting and floristry. It was anticipated that in 1992 the training programme would be extended to a further 10,000 women.

13. A food stamp programme had been introduced for pregnant women, nursing mothers and children under five in the areas considered poorest by the Ministry of Health. During 1991, 56,000 people had benefited from the programme. The Department of Primary Education had also upgraded school meals and pupils were being taught to grow food in school gardens.

(Ms. Rosales Paz, Honduras)

14. In 1990, the Government had created the Honduran Social Investment Fund (HSIF) to carry out special employment policies under the social compensation scheme. The purpose of the Fund was to promote improvements in the living conditions of marginal social groups in rural and urban areas, by financing social or economic development projects in order to increase their productivity and employment and income levels and help meet their basic needs.

15. The overall aim of the HSIF programme of support to the informal sector was to promote economic democratization by improving the living conditions of underprivileged groups in urban and rural areas. The programme funded production, service and commercial activities through private development organizations and communal banks and targeted small businesses, most of which were run by women. Funded projects had three components: free training and technical assistance and access to loans.

16. The Ministry of Education had studied the need for the revision of school textbooks to eliminate stereotypes of women that could foster discriminatory perceptions in children's minds. Since such stereotypes had a greater impact on children during their early school years, schoolbooks at the kindergarten and primary levels were especially in need of revision. With training from UNICEF, the Educational Commission for Women's Affairs had already undertaken to correct the sex stereotyping in textbooks for a number of subjects.

17. Such efforts would be reinforced by the Commission on Women's Affairs of the National Congress, which had called attention to advertising in the media that was offensive to women, young people and children, linking the use of alcohol and tobacco products to sports or sex. In future, such advertising was to be regulated by the National Congress.

18. Agreement had been reached with FAO and other agencies to promote income- and employment-generating activities that preserved the ecological balance.

19. Lastly, the First Ladies of the region had set up a cooperation office to support the Commission on Social Affairs that was to oversee compliance with the commitments made during Central American meetings. At the Tenth Meeting of Presidents, held at Tegucigalpa on 12-13 January 1992, an agreement had been signed with UNICEF on financing social welfare programmes through the purchase of Honduran foreign debt. Central American integration would make it easier to promote the sustained, all-round development that was a prerequisite for meeting social goals.

20. Ms. AKAMATSU expressed appreciation for the efforts made to improve the status of women in Honduras. She did have some questions, however, about the national machinery used to promote the rights of women in Honduras. What organizations were involved in promoting the implementation of the Convention?

21. Ms. NIKOLAEVA said that from the report, it seemed that the Convention had had a very positive impact on the Honduran Government's policies regarding women's rights. The Government had ratified the Convention in 1982 and, since then, had introduced many positive reforms relating to various aspects of women's life in society. Equality for women had been approached on an entirely new basis.

22. Two aspects of government policy seemed to merit comment. First, legislation affecting women had been improved through recent reforms. A new Penal Code had been introduced, as had new codes on the family, labour and agrarian reform; efforts had been made to eliminate discrimination in education; and reforms had been made in the participation of women in political life. Great strides had been made in incorporating the Convention into domestic law. Secondly, measures had been taken to improve the lives of rural women. States' reports tended to ignore the problems of rural women, yet it was they who suffered the worst discrimination. It was gratifying to note that Honduras had not ignored rural women, who should be involved in agrarian reform. Some women had in fact received land of their own or were managing projects. The Committee should also take note of the literacy programmes introduced for rural women, which should be further developed.

23. Ms. ABAKA said that many obstacles remained to the full implementation of the Convention, but that the Honduran Government was aware of its shortcomings, which were caused chiefly by a lack of resources. It should be recalled that Honduras was geographically vulnerable and had been exposed to prolonged internal and border conflicts. It was difficult for any country to implement the Convention when its economy was in such straits. She expressed sympathy for the women and children of Honduras, who were even more vulnerable in such situations, and hoped that Honduras would be able to break the vicious circle of poverty.

24. Ms. CORTI said that she had found the description of the AIDS situation in Honduras most worrisome. Fortunately, Honduras was making great efforts to detect and treat the illness.

25. It seemed that the revisions to the Penal Code had left much to be desired; she wondered whether further revisions were pending in Parliament. She had considerable reservations, for instance, concerning the penalty for the murder of a spouse and his or her lover - only four to six years' imprisonment - a crime for which much more severe punishment was meted out in other countries.

26. Ms. LAIOU-ANTONIOU expressed concern that foreign financial aid to Honduras was being distributed by male-dominated committees. Men decided what plans and projects were to be funded, usually to the detriment of women's needs. She wondered how the national machinery might give women a say in distributing foreign aid money.

Article 2

27. Ms. BRAVO NUNEZ DE RAMSEY said it seemed that Honduras had adequate legal provisions to promote equality for women but that other factors such as customs, economic limitations and resistance to change prevented the full implementation of those provisions. She asked for further information on the Honduran family code, especially in respect of women's entitlement to maintenance from their husbands for themselves and their families under article 42.

28. Ms. ILIC asked why it was indicated, in paragraph 9 (1) of the third periodic report, that the physical and organic damage and the moral trauma engendered in a "male" victim might be more serious than in a woman, in cases of rape. Did that view have a scientific basis or was it simply an instance of prejudice against women?

29. Ms. LAIOU-ANTONIOU expressed surprise that article 122 of the 1984 Criminal Code provided for a prison sentence of only four to six years for cases where death or injury was caused to an adulterous spouse. She asked whether there were any plans to reform that provision.

Article 3

30. Ms. BUSTELO GARCIA del REAL said that the Government of Honduras must ensure that its legislation was implemented in respect of all women, including less-educated women or women living in isolated or disadvantaged rural areas. The third periodic report referred to a plan of action for policies related to women, but no systematic information was given about its objectives, time-frame, budget or priorities, or about the mechanisms for its implementation and for coordination between different ministries and organizations. She requested further information on how the plan of action had been implemented, especially with the limited resources available.

31. Ms. BRAVO NUNEZ DE RAMSEY said that the absence of equal pay for equal work in Honduras and the great discrepancies between the wages of men and women gave rise to a situation of economic dependency which aggravated the plight of women. She asked what programmes were being developed by the Honduran Government and non-governmental organizations to overcome that problem.

Article 4

32. Ms. ILIC asked why Honduras had not taken any temporary special measures to ensure de facto equality between men and women, even though it had ratified the Convention in 1982.

33. Ms. ABAKA said that the statement under article 4 in the third periodic report that suggested that employers discriminated against women to whom they might have to provide maternity benefits, contradicted the indication under article 5 that there was a need to impose sanctions on discriminatory

(Ms. Abaka)

practices and dismissal on grounds of sex or civil status. She asked for an explanation.

34. Ms. TALLAWY asked why the Honduran Government had referred to the question of maternity benefits in connection with article 4 of the Convention.

Article 5

35. Ms. BUSTELO GARCIA del REAL, referring to General Recommendation No. 12, asked for further information about the legislation in force to protect women against all kinds of violence; other measures adopted to eradicate such violence; and the existence of support services for women, especially less educated women and women living in remote areas. She requested statistical data on the incidence of violence of all kinds against women and on women who were the victims of violence.

36. Ms. EVATT asked for further information on Honduran legislation against sexual harassment in the workplace and on any decisions that had been taken with regard to its implementation.

37. Ms. GONZALEZ MARTINEZ said that the Committee had recognized that article 5 was central to the application of the Convention and to all action to eliminate discrimination against women. She asked whether efforts were being made by the Honduran Government to coordinate its actions with women's organizations, if they existed, or non-governmental human rights organizations. She asked what was being done to protect Honduran women who emigrated and were exposed to the risks of violence and human rights violation and whether there was a specific programme for refugee women who sought refuge in Honduras or for refugees in general.

Article 6

38. Ms. BUSTELO GARCIA del REAL said that further information was needed on the legislation regarding prostitution and on the effectiveness of such legislation. The Committee needed to have statistics on the number of prostitutes that would show whether their number was increasing or declining, and also figures on the number of women who emigrated from Honduras to other countries. She asked whether there were contacts with non-governmental organizations or consulates abroad to protect women from violence and abuse and whether there were any specific programmes in respect of women and AIDS.

39. Ms. EVATT asked whether there were any laws giving the same protection against rape and violence to prostitutes as to other women, so that they would have equal protection under criminal law.

Article 7

40. Ms. ABAKA asked whether article 36 of the Honduran Constitution implied that Hondurans under the age of 18 were not citizens. She asked why active servicemen in the armed forces and security forces or State police were not allowed to vote.

Article 9

41. Ms. AKAMATSU asked for information about the nationality of children, as required under article 9, paragraph 2, of the Convention.

Article 10

42. Ms. BRAVO NUNEZ DE RAMSEY asked for further information about education in Honduras and for statistics on school attendance and on attendance at higher and middle-level educational institutions by Honduran women.

Article 11

43. Ms. AKAMATSU noted that the Honduran Labour Code provided for a very long period of paid maternity leave (10 months) without loss of employment or seniority; that provision could be discriminatory. She noted that in many countries the period of compulsory maternity leave was much shorter but that there were optional child-care leave systems for longer periods which were also available to fathers. The provision of the Honduran Labour Code referred to in paragraph 79 of the third periodic report seemed to imply that women were intellectually and morally inferior to men.

44. She asked whether there was any provision in the Honduran Labour Code guaranteeing equality of opportunity and treatment for men and women in the workplace and requested statistics on the actual situation of employed women in Honduras.

45. Ms. ALFONSIN DE FASAN asked how many women attended courses at the Vocational Training Institute (para. 47) and also whether trade union organizations had done anything to ensure equal opportunities for women in employment, and whether they could operate freely.

46. Ms. GONZALEZ MARTINEZ said that the report should have contained data about the percentage of women in the labour force, preferably by sector. She asked to what extent women participated in the máquila (semi-processing) industry and what protection there was for them. She asked whether employers ever checked women workers before they were hired to make sure they were not pregnant or gave them periodic examinations to check that they had not become pregnant; such practices would be a violation of human rights and of women's rights.

Article 12

47. Ms. BUSTELO GARCIA del REAL asked whether obstetrical complications were still the main cause of mortality among young women and, if so, whether health programmes gave priority to women's health care, especially in respect of childbirth and family planning. Recent data were needed to show what results had been achieved in improving the health of women and children. She asked whether abortion was permitted in Honduras, whether deaths from clandestine abortions were included in maternal mortality figures and whether pregnant women with AIDS had the right to an abortion.

48. Ms. ALFONSIN DE FASAN said that the report indicated that although women had access to contraceptives and family planning services, there was some reluctance to take advantage of them. She asked what steps were being taken to remedy that situation, especially in view of the AIDS threat.

49. Ms. EVATT asked for information about the number of women who died each year as a result of clandestine abortions.

50. Ms. UKEJE asked, with reference to paragraphs 73 and 74 of the third periodic report, whether women were, in practice, aware of their rights under the law, whether they had the resources to exercise those rights, and whether the legal provisions to protect the rights of women in employment did not in fact work to their disadvantage, by discouraging potential employers from hiring them.

Article 14

51. Ms. QUINTOS-DELES asked whether the purpose of Government programmes to promote rural women was to treat them as farmers, equal to their male counterparts and with equal access to technical production support, or merely to reinforce their position as helpmates to male farmers, without recognizing the contribution already made by women to mainstream agricultural production.

52. Ms. CORTI said, with regard to the health of rural women, that the use of volunteer medical services should be developed further. She wondered what steps were being taken to improve health care for rural women, in view of the scarcity of medication. With reference to the organization Family Planning (para. 119), she asked whether its activities were restricted to selling milk and providing a prescription service or whether it also provided family planning education. Lastly, she noted the resistance shown by men to their wives or partners joining cooperatives, but stressed that the establishment of agricultural cooperatives among women was an important step towards women's emancipation, enabling them to attain economic independence, and should therefore be strongly promoted.

Article 15

53. Ms. AKAMATSU said, with reference also to article 16 of the Convention, that the new Family Code enacted by the Government of Honduras in 1984, ensuring the equality of husbands and wives, was to be commended. She sought clarification, however, of the information contained in paragraph 124, asking whether the concept of "head of family" had been entirely eliminated from the new Family Code or whether it was only the husband's right to choose the family's place of residence which had been abolished. Her doubts were prompted by provisions elsewhere in the report, such as those in paragraph 131 relating to article 16 of the Convention, which continued to enshrine the concept of male superiority.

54. Ms. BRAVO NUNEZ DE RAMSEY said that her country, Ecuador, had legal provisions similar to those of Honduras imposing mild sentences for homicide committed by husbands against wives surprised in the act of adultery. Those abhorrent provisions had provoked protests by women's organizations in recent years, seeking their repeal. As an initial step, women's organizations had taken the matter to the courts and had secured the suspension of the provisions. She wondered whether a similar campaign was under way in Honduras to secure the repeal of that legislation, which was so detrimental to Honduran women.

Article 16

55. Ms. BUSTELO GARCIA del REAL said that she would like more information on the laws in Honduras governing economic arrangements in marriage. In her country, Spain, there was separation of property in marriage unless a specific agreement was made to establish a family patrimony. She wondered whether the same arrangements obtained in Honduras and, if so, who administered the family patrimony and who was considered the head of household.

56. Ms. EVATT asked whether the laws governing marriage also applied to de facto unions.

57. Ms. ABAKA noted, with reference to the information in paragraph 127, that boys became marriageable at the age of 18 and girls at 16; she requested an explanation for that discrepancy.

58. Ms. ILIC said that attention should be given, under the consideration of article 16, to the provisions of the Honduran Family Code concerning non-payment of subsistence, which had been covered in the part of the report dealing with article 5 of the Convention. The intention of the legislation in imposing rigorous penalties on spouses who defaulted on the payment of subsistence was good, but the legislation might be counterproductive in that the penalized spouses would lose their jobs, entailing total loss of support for the family.

59. The CHAIRPERSON said that the Committee's discussion of the Honduran report had demonstrated its sincere appreciation for the efforts made by the Government of Honduras to improve the status of women, and that the findings of the report showed that the Convention had had some impact on the Government. Certain questions remained, however, in such areas as the Penal Code, family questions, health care, AIDS, prostitution and employment, and Committee members would like to know what measures had been taken to address those questions. The report contained valuable information on the situation of women in rural areas but clarification was still needed of the real objective of the measures that were being implemented, with regard to the role of women in agricultural development.

The meeting rose at 12.40 p.m.

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Eleventh session

SUMMARY RECORD OF THE 194th MEETING

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Chairperson: Ms. TALLAWY

CONTENTS

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Barbados (continued) (CEDAW/C/5/Add.64)

1. At the invitation of the Chairperson, Ms. Alleyne (Barbados) took a place at the Committee table.

2. Ms. ALLEYNE (Barbados) said that her Government had noted the concern of members of the Committee, with regard to protective legislation in favour of women, that men should not be discriminated against in consequence. There had not yet been any complaints of that nature.

3. General information had been requested on the role and contribution of women in the tourist industry. There was an almost equal proportion of men and women in that industry and women were very actively involved in the service, accommodation and promotional areas. Women managed a large proportion of the hotels and guest houses in Barbados. With respect to the question of prostitution in relation to tourism, the Board of Tourism had not concluded that there was a link between the two; moreover, no such link had been confirmed in a report prepared by the University of the West Indies. Skills training was provided by several non-governmental agencies as a means of ensuring choices for young people. As for traffic in women, that phenomenon was not currently evident in Barbados. She noted in that connection that the Department of Immigration closely controlled entry into Barbados.

4. On the question of drugs, a group known as Citizens against Narcotics was active in discouraging young people from using drugs. Rehabilitation was available for drug offenders through hospital services.

5. On the question of exceptions to protection from discrimination countenanced by the Constitution, she noted that some such exceptions had been enacted so that the division of property on the breakdown of marriage and similar circumstances would not be unconstitutional.

6. All women had a right to legal aid, if need be, under the Community and Legal Services Act. The Bureau of Women's Affairs had supplemented those services by a legal aid project for women funded by the Inter-American Commission of Women of the Organization of American States. A group of attorneys had established a project to further enhance legal aid at the community level.

7. On the question of how the Convention was enforced in Barbados, under the country's legal system the Convention was not directly incorporated into the law of the land; rather, legislation relating to the provisions of the Convention had to be enacted.

(Ms. Alleyne, Barbados)

8. On the questions raised in relation to the ombudsman, she noted that cases were referred to the ombudsman through recognized procedures and that an annual report was published on his work.

9. With respect to women's use of the courts, women and men alike made use of the courts whenever their rights were infringed. With respect to the National Commission on the Status of Women, she noted that it had been an ad hoc group whose mandate had ended in 1978; its three-volume report contained 212 recommendations, which had been accepted and acted upon by the Government and formed the basis of its plan of action for women, which since 1980 had been overseen by a National Advisory Council.

10. Questions had been raised concerning female heads of household. Women became heads of household in Barbados as a result of divorce or of visiting relationships (where the father did not cohabit with the mother but bore responsibility for the maintenance of her children) or in cases where the father had reneged on his responsibilities. The law provided for rectification in all three cases.

11. Historically, the legacy of slavery had discouraged permanent family unions and marriage. As a consequence, different forms of unofficial marital arrangements had arisen, which were dealt with impartially by the law. For instance, the status of illegitimacy had been abolished in Barbados by the Status of Children Reform Act 1979; children born out of wedlock were regarded as the children of both parents. Women who were divorced, in a visiting relationship or in a stable union other than marriage where the parties had lived together for a period of five years had a right on separation to maintenance and to property distribution between the parties. The Family Law Act of 1981 had called for the widest possible protection and assistance to the family as the natural and fundamental group unit of society, particularly while it was responsible for the care and education of dependent children.

12. With respect to article 5, she noted that like any other country, Barbados was subject to several kinds of violence against women, mainly domestic violence, sexual offences and rape. Victims of the latter offences could seek either criminal or civil redress. In the case of domestic assault and battery, women often failed to follow through on complaints to the authorities, who were thus unable to prosecute. Legislation was being enacted on domestic violence, harassment and sexual offences, emphasizing their criminal nature. The legislation also allowed for counselling of the victim, the perpetrator and family members. Women's organizations had started to raise funds for a shelter for battered women. Victims were counselled by such agencies as the Family Welfare Service, the Child Care Board, where children were involved, and the Juvenile Liaison Scheme of the Royal Barbados Police Force.

13. A serious effort was being made to collect and collate gender-based statistics in order to gauge the effect of the law and services on violence

(Ms. Alleyne, Barbados)

against women. A study had been done on physical violence against women and followed up with a seminar involving relevant agencies and women's organizations. The latter were assisted by the Government in several ways; since 1970, there had been a minister responsible for women's affairs, and the Bureau of Women's Affairs formed part of that ministry.

14. With respect to the question on the large number of women's organizations, women chose the organizations with which they wanted to affiliate. The organizations served the community and national development by identifying issues of national concern and bringing them to the attention of the Government, often through their umbrella body, the National Organization of Women.

15. With regard to articles 7 and 8, several questions had focused on women in politics and decision-making. She wished to make it clear that women were actively involved in politics and decision-making in Barbados. There were very active women's sections in political parties and women were very politically aware. They canvassed, managed campaigns and organized materials for campaigns. However, there were very few women in Parliament. A survey done while the National Commission had been in existence had pointed to two specific reasons: family life was disrupted by the demands of public office and political campaigning in Barbados entailed merciless exposure of candidates' private lives. It was felt that even a quota system was not likely to change things in the short term. Women more often accepted appointments as members of the Senate or served on public corporations or boards. The Committee's comment on the low number of women's appointments would be drawn to the attention of the Government. She noted, however, that the Governor-General of Barbados was a woman.

16. With respect to article 9, women's organizations and the Government were currently reviewing the situation concerning the ability of married women to pass on citizenship to their children.

17. On article 10, the system of education from primary to tertiary level was coeducational. Family life education was a regular feature in schools; contraceptive information and facilities were readily available. However, the vexed issue of teenage pregnancy persisted, although the HIV/AIDS scare and the public programme of the National Advisory Council on AIDS seemed to be contributing to a reduction in such pregnancies.

18. On article 11, the principle of equal pay for men and women had been recognized in Barbados but was not yet a reality, except in agriculture.

19. Pensions in Barbados consisted of a contributory scheme, a non-contributory scheme for those who had never been employed, a pension from the workplace based on years of service or, in the public service, a scheme specifically for widows and children.

(Ms. Alleyne, Barbados)

20. Any cases of unfair dismissal on grounds of pregnancy would be considered by the courts and could result in compensation or possible reinstatement. It was possible that women were being denied jobs because of pregnancy, but the Bureau of Women's Affairs was unaware of any such complaints. Women on maternity leave received full salary, paid jointly by the employer and the national insurance and maternity leave authorities.

21. With respect to health and safety in the workplace, special measures had been enacted to protect women in circumstances that did not readily apply to men; for night work, adequate transportation and protection must be provided.

22. With respect to article 12, the Legal Termination of Pregnancy Act 1983-4 permitted the termination of pregnancy in special circumstances both prior to and after the twelfth week. The mortality rate was very low.

23. With regard to article 13, low-income persons were exempted from income tax below a threshold of $15,000.

24. Concerning the request, in respect of article 14, for clarification of rural and urban women's involvement in agriculture, in Barbados both rural and urban women worked in agriculture, the latter being transported to their place of work, especially during the sugar cane harvest.

25. Thanks to the availability of transportation and a network of schools, rural and urban children had equal access to education; that had been a national development priority for many decades.

26. With respect to article 16, divorce was provided for in the Family Law Act on the basis of irretrievable breakdown of the marriage as evidenced by 12 months' separation. Child support could continue beyond 18 years in specific circumstances such as education or training or physical or mental impairment.

27. Ms. BRAVO NUÑEZ DE RAMSEY asked whether women's low level of participation in politics was a result of the lack of incentives from official quarters and the failure of political parties to present women candidates in elections. The situation in Barbados appeared to be similar to that in other countries, where women's abilities and votes were used by political parties on behalf of male candidates.

28. Ms. LAIOU-ANTONIOU asked whether women's organizations had any access to the development assistance funds which Barbados received, and whether there was any way of ensuring that such funds were used to benefit women. She also wondered whether any legal provisions existed concerning equal pay for work of equal value. With regard to rape and battery, she wished to know whether it was only the female victim of such crimes who could claim compensation through the courts, or whether third parties could also avail themselves of that procedure.

29. Ms. SCHÖPP-SCHILLING said that the status of households headed by women remained unclear; she wished to know whether the large percentage of such households was viewed as a social and economic problem, as it was in other countries, and whether the women concerned were divorced, had never been married or had husbands who were working elsewhere. She would also appreciate information on the Government's plans for dealing with the issue.

30. Ms. ALLEYNE (Barbados) said that women's participation in politics was a relatively new phenomenon around the world. While Barbadian women did take part in politics, it would take some time before significant changes could be effected in that area. The Government had expressly stated that it would work towards increasing women's representation at decision-making levels, and the Bureau of Women's Affairs was assisting the Government in carrying out its mandate. Women themselves must take the initiative on the issue; it was to be hoped that women's conception of their role in politics would change over time. The third report of Barbados would show that some progress had been made; whereas there had previously been four women Senators, there were now six. One party had fielded six women candidates in the latest elections, but they had not been elected.

31. Women had access to international aid through their organizations, provided that the projects for which they requested assistance were in harmony with the national development focus. Women's groups frequently submitted project proposals to the Bureau, which then endorsed them and forwarded them to the appropriate agencies.

32. With regard to rape and battery, third parties could claim protection if they were also victims; in some cases, perpetrators felt themselves to be victims and to have acted in response to violence against them.

33. It was difficult to understand why so many households were headed by women without looking at the history of slavery, in which the institution of the family had been deliberately destroyed. For centuries, women had been required to handle family responsibilities, and had done so. In countries where the nuclear family prevailed, there was often a feeling that the family could not function unless a man was present; Barbados did not share that view. In the past, the extended family had served as an important support mechanism; now that many grandparents were working, the problems of single-parent households had become more evident. The Government had endeavoured to fill the gap by ensuring that high-quality day-care facilities were widely available, and day-care centres were also operated by the private sector. The standards laid down by the Child Care Board applied to both the State and the private sector.

34. It was necessary for Barbadian women to work and they had always done so. Women heads of household were often in a better position than married women, because the latter could do little without their husband's consent. Female heads of household were not economically disadvantaged, because women were deeply involved in the country's economy: for example, 60 per cent of

(Ms. Alleyne, Barbados)

the mortgages granted in 1991 had gone to women, a significant proportion of whom were single.

35. The CHAIRPERSON asked the representative of Barbados what steps she felt should be taken to further improve the status of women, in keeping with the Convention.

36. Ms. ALLEYNE (Barbados) said that her country's structural adjustment programme had had a severe impact on women in the workforce, particularly on women heads of household. The Government was focusing on programmes to cushion the impact of structural adjustment. Violence continued to be a major source of concern and international assistance in that regard was needed. The question of women's participation in politics was also of concern. A current programme of the Bureau of Women's Affairs to train women in leadership responsibilities, in cooperation with women's organizations, was in jeopardy for economic reasons. The Bureau itself was understaffed and in need of assistance. Technical assistance in organizing statistical information would also be welcome.

37. It was difficult to motivate women who were already involved in politics to take concerted action, because they were highly partisan, although there were some signs of a change in attitudes. Barbadian women did not feel comfortable with a militant approach; they preferred to work behind the scenes, where they were highly effective, and their role was greatly appreciated by the Government.

38. The CHAIRPERSON expressed appreciation to the representatives of Barbados for their clear and forthright presentation and for the information contained in the report. The Committee had noted that the Government had the political will to eliminate obstacles to the further advancement of women. The explanations given regarding women's participation in politics had been convincing, particularly in the light of the training programme undertaken by the Bureau. On the question of prostitution, the Committee was satisfied that the Government, in promoting tourism, was aware of the danger that prostitution might increase. As to the question of households headed by women, the representatives had clarified the historical background of the phenomenon and had outlined the Government's efforts to assist women in that situation.

39. While the status of women in Barbados was not unsatisfactory, she was glad that representatives of international organizations and specialized agencies were attending the current session; she urged them to consider the needs for assistance which had been outlined by the previous speaker. Funds should be provided to the Bureau to enable it to undertake a study of the impact of structural adjustment programmes on women in Barbados. The results of such a study would also be of benefit to other countries.

40. Ms. Alleyne withdrew.

Initial, second and third reports of Ghana (continued) (CEDAW/C/GHA/1-3)

41. At the invitation of the Chairperson, Ms. Akuffo (Ghana) took a place at the Committee table.

42. Ms. AKUFFO (Ghana) said that she would reply to questions posed by members of the Committee.

Article 2

43. The National Council on Women and Development (NCWD) was an autonomous government agency which reported to the Ghanaian Government through the Ministry of Mobilization and Social Welfare. The Council consisted of 15 distinguished women and men, including representatives of key ministries, and was headed by an Executive Secretary. There were five departments: plans and policy analysis; human resource development; aid and project coordination; research, statistics and information management; and finance and administration. Each of the 10 regions of Ghana had a regional office, and there were also district offices. The 1992 budget for the Council was about $400,000. In order to decentralize its work, the NCWD was coordinating its efforts with sectoral ministries and non-governmental organizations.

44. Care had been taken over the years to ensure that conflicts between State and customary law were minimized. Where such conflicts occurred, State law prevailed. A case in point was the situation where customary and ordinance marriage systems existed side by side. The proclamation suspending the 1979 Constitution (PNDC Law 42) had re-enacted most of the general provisions of the Constitution. Thus, there was still a fundamental law in force in Ghana.

Article 3

45. On the question of incentives for women to undertake work outside the home, in Ghanaian society women had always been economically active both inside and outside the home. Moreover, the working life of the average Ghanaian did not end at the official retirement age of 60 because of the concentration of the workforce in the informal sector and in agriculture.

Article 4

46. There was no time-frame for reviewing legislation that discriminated against women and making proposals to the Government, although it was hoped that laws would soon be passed to eliminate customary practices that militated against women. The prospects for the acceptance of any new proposals were high; the Council's proposals for the new draft constitution had been readily accepted. As noted in the report, discrimination against women was not simply the result of particular laws, however.

47. There was no stated Government position on temporary special measures, but certain policy decisions indicated a willingness on the part of the

(Ms. Akuffo, Ghana)

Government to institute such measures as were considered necessary. The measures implemented in the educational sector were one example. Recently, when the consultative assembly had been reconstituted, the Government had allocated a number of seats to women and women's groups, and it had taken similar action at the district assembly level. The Government also used the NCWD data bank in making appointments to boards and corporations.

Article 5

48. The NCWD organized a number of programmes throughout Ghana in English and in local languages to educate people about the Intestate Succession Law. The Ghana Federation of Women Lawyers (FIDA) also ran legal education programmes. Considerable consciousness-raising on that law was also being carried out by the 31 December Women's Movement and other women's groups, particularly those of religious bodies. Women were being encouraged to make wills so that their property would not go automatically to their husbands.

49. Public education on widowhood rites was directed at both men and women. Several traditional rulers who were men had accepted the legislation on widowhood rites and issued edicts against them.

50. The situation of Ghanaian women described in the report was based on the matrilineal and patrilineal systems of inheritance in Ghana. Even when matrilineal inheritance occurred, it was essentially within the patriarchal system of control.

51. While the existence of negative widowhood rites and other forms of violence against women was acknowledged in Ghana, it was difficult, in view of socio-cultural, economic and other factors in Ghana, to obtain reliable data.

52. The Government had traditionally provided annual budgetary allocations to a number of non-governmental organizations; the figures involved, however, were not immediately available.

53. The NCWD planned in its medium- and long-term programmes to increase measures aimed at changing traditional attitudes and practices towards women; it was hoped that the socialization process would eventually help in that area.

54. In matrilineal societies, ascendance to the Stool (throne) was through the female line. When a chief died in a matrilineal society, he was succeeded by his sister's son. If the chief had no sister, the son of a maternal female cousin inherited the throne.

55. Customary practices relating to widowhood rites, customary divorce on grounds of witchcraft, etc., varied from one ethnic group to another. The Government, the NCWD and non-governmental organizations were campaigning vigorously for all ethnic groups to review such practices and eradicate those that Ghana as a whole could not accept. Those efforts were gradually being supported by traditional rulers and family elders.

(Ms. Akuffo, Ghana)

56. A number of studies had been undertaken by government agencies and various faculties of the three universities in Ghana to determine whether women accepted their situation under traditional law. The extensive demand for counselling and legal services on those issues was an indication of women's displeasure at a number of traditional practices. As a result mainly of formal education, awareness drives and recognition of the increasingly important economic contribution of women to households, Ghanaian women were gradually overcoming their traditional subservience to men. That development was being tacitly acknowledged by men.

Article 6

57. Research had been done on the rate and reasons for different types of prostitution in Ghana. Basically, prostitution was economically motivated. The Government, the NCWD, the Ministry of Health and other non-governmental organizations had mounted educational programmes to prevent the spread of diseases such as AIDS. There was also a nationwide programme to supply prostitutes with contraceptives. To reduce the incidence of prostitution, unemployed women, and also schoolchildren and young girls, were being encouraged to receive training in various trades.

58. Ghanaian consulates were required by law to assist all Ghanaians who entered their countries of accreditation. In cases where prostitution, traffic in women and other violations were reported to Ghanaian consulates, the consulates provided services that included legal aid and repatriation where necessary. Unfortunately, many cases were not reported to consulates because of fear of repatriation or of attracting official notice.

59. Programmes for moral upliftment had been moderately successful; efforts continued nationwide to that end. It was difficult to ensure the effectiveness of legislation against traffic in women because of the nature of the problem. However, the law did not spare culprits. Educational programmes on prostitution were ongoing.

Article 7

60. There were no up-to-date figures for comparison with the 1984 figures on women's participation in decision-making. The Government had been involved in a number of educational activities and awareness programmes to encourage more women to get involved in political activities and decision-making. Aid coordination in Ghana was undertaken by the International Economic Relations Division of the Ministry of Finance and Economic Planning. A number of women served in very high decision-making positions in the IERD. The NCWD was also represented on the NaTCAP set up by UNDP to coordinate decision-making on the allocation of donor assistance. In addition, the Council, through its aid and project coordination unit, ensured that women benefited from donor-assisted projects.

(Ms. Akuffo, Ghana)

Article 8

61. Under PNDC Law No. 42, a person born in Ghana was a citizen if either of his parents or grandparents was or had been a citizen of Ghana; a person born outside Ghana was a citizen if either of his parents was currently a citizen; and a child of not more than 16 years of age adopted by a citizen of Ghana became a citizen by virtue of adoption.

Article 10

62. In 1989, about 12.3 per cent of Ghanaian women had used family planning; that figure had increased slightly since then. The percentage was low because of the high premium placed on childbearing and because many members of the rural population needed large families to assist with economic activities.

63. Tuition was free at all levels of education in Ghana. Family planning education was widely available. The Planned Parenthood Association of Ghana, the Ghana National Family Planning Programme, the Ghana Social Marketing Programme, the NCWD, UNFPA and other agencies had undertaken programmes over the years to sensitize society to the advantages of spacing births, having fewer children, etc. There were two main categories of crèche: private crèches, and crèches subsidized by the Government or by non-governmental organizations such as the 31 December Women's Movement and the YWCA. Alternatives to crèches included the extended family system, where female family members helped take care of infants, and the use of household help.

64. The design and production of reading materials in English and all major local languages was an integral part of all major literacy efforts. State and private printing presses produced textbooks and other reading materials for schools and other educational purposes. The NCWD published a quarterly newsletter, Adenkum, with the aim of encouraging an exchange of relevant information among women.

65. According to available statistics, there had been more girls than boys in Ghana in 1984. As a result of worsening economic problems, many parents had been forced to withdraw their children from school and send them directly into trading at local markets. There had been an absolute increase in the population of uneducated girls compared with 1960, but as a percentage of the population, the proportion appeared to have decreased.

66. The correct figure for the average literacy rate for ages 35-44 in Accra was 64.9 per cent (table 10 of the report).

Article 11

67. "Self-employed" women were those engaged in small-scale industries such as food processing and crafts, agriculture and small-scale trading. The principle applied in State legislation was equal pay for equal work rather than equal pay for work of equal value. The Ghanaian statistical service was

(Ms. Akuffo, Ghana)

trying to improve the indicators used in collecting data on Ghana's gross national product, particularly on household income, so as to be able to quantify women's work.

68. The number of female-headed households had increased because of an increase in the number of men migrating to neighbouring and other countries, male irresponsibility, and the breakdown of marriages due to economic and other factors. Recently, many young, educated and economically independent Ghanaian women had been choosing to have children without getting married; there was no stigma attached to single motherhood.

69. The Labour Decree and the Industrial Relations Act were examples of laws that protected Ghanaians in the workplace. The Labour Decree provided for maternity leave for women, prosecution of employers who dismissed pregnant women and protection for women against performing work underground.

Article 12

70. The Ministry of Education, in conjunction with the Ministry of Health National Committee on Prevention of AIDS and various agencies and religious bodies, carried out educational programmes on AIDS prevention nationwide. Considerable resources were being devoted to educational programmes on the harmful effects of female circumcision, which was practised in some areas of northern Ghana. The NCWD was also campaigning against that practice through seminars and discussions. At the non-governmental level, the Association for the Welfare of Women had made the eradication of female circumcision its main priority.

Article 15

71. About 40 per cent of Ghana's population lived under the matrilineal system, and about 60 per cent under the patrilineal system. It was difficult to estimate the number of single women in Ghana, although it was known that their numbers were on the increase. Single women were free to engage in jobs and other remunerated activities.

Article 16

72. Women largely had freedom of choice in respect of marriage. Customary marriage formed the basis of ordinance marriage and marriage under Muslim ordinance. Under the Criminal Code of Ghana, wife-beating was an offence punishable by law and Ghanaian women did resort to the law in some cases. However, wife-beating was generally condoned in traditional society.

73. The CHAIRPERSON said that there was general agreement among members of the Committee that the Ghanaian Government had been frank in discussing the many problems faced by women in Ghana. The problems that persisted were related to traditions and customary law and the Committee had noted with appreciation the efforts made by the Ghanaian Government to reform legal

(The Chairperson)

codes. The high illiteracy rate among women was a complex problem with economic, social and historical causes. The Committee had noted the lack of statistics in the report; the Ghanaian Government was trying to overcome that problem and to provide more statistics on women in different walks of life. The Committee had noted with interest the programme established by the National Council on Women and Development to promote the advancement of women and overcome the problems they faced and to increase their awareness and promote their participation in public life; the Ghanaian Government should increase the Council's resources.

74. Ms. Akuffo withdrew.

The meeting rose at 12.25 p.m.

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Eleventh session

SUMMARY RECORD OF THE 195th MEETING

Held at Headquarters, New York,
on Thursday, 23 January 1992, at 3 p.m.

Chairperson: Ms. TALLAWY

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Consideration of reports submitted by States parties under article 18 of the Convention (continued)

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second periodic report of China (CEDAW/C/13/Add.26)

1. At the invitation of the Chairperson, Mr. Jin Yongjian (China) took a place at the Committee table.

2. Mr. JIN Yongjian (China) said that the second periodic report on the implementation of the Convention, submitted by China in 1989, had described the measures adopted to protect and enhance the status of women in China as well as the major problems faced by Chinese women. Since the submission of that report considerable changes had taken place in various areas concerning Chinese women. Under the eighth Five-Year Plan for National Economy and Social Development, launched in 1991, the Chinese Government was actively pursuing a peaceful foreign policy, accompanied by domestic reforms to open up the country to the outside world. As a result, favourable conditions were being created for the smooth implementation of the Convention and new endeavours were being made to promote the social development of women and to protect their legitimate rights and interests.

3. With regard to the improvement of laws and regulations concerning the protection of women's rights and interests, work was under way on a new law in that area, which would be submitted, later in 1992, to the seventh National People's Council at its fifth plenary session for its approval. The Ministry of Labour and Personnel had formulated a regulation, postponing the retirement age of senior qualified women to 60. Decisive legislative measures had been taken to combat such abuses as prostitution and traffic in women and children, and new provisions to protect women had been included in the legislation covering disabled persons and minors. New legal provisions had been adopted to protect the personal rights of women, as well as their rights in such areas as political participation, employment, education, marriage and the family.

4. Those initiatives had prompted similar measures at local levels. Thirty-one provinces, municipalities and autonomous regions around the country had formulated local regulations for the protection of women's rights and interests. Various associations and popular organizations had been called upon to publicize and explain laws, ensuring a better social environment for the protection of the rights and interests of women.

5. Turning to the question of women's participation in politics, he said that the relevant government departments, acting in concert with the All China Women's Federation (ACWF), had taken vigorous measures to promote the participation of women in politics, by improving their qualifications and by working to overcome prejudices against women. As a result, in 1990, the proportion of women elected as deputies to local people's congresses had reached 21 per cent and in some places had risen to 25 per cent.

(Mr. Jin Yongjian, China)

6. In the rural areas, where 80 per cent of China's population lived, and 50 per cent of whose workforce was constituted by women, a major campaign had been launched through the joint efforts of a number of governmental and non-governmental bodies, including the Ministries of Agriculture and Forestry, the State Education Commission and ACWF, aimed at improving the technical skills and literacy of rural women. Since the campaign had begun in 1989, with a total involvement of 120 million rural women, 2.8 million women had become literate and 240,000 rural women had qualified as agricultural technicians. The practical and professional skills taught under the campaign enabled women to achieve better economic results in their work and enhanced their social and family status.

7. Lastly, with reference to maternal and child health, efforts were under way in China to realize the World Health Organization (WHO) target of health for all by the year 2000. One of the objectives of the current five-year plan was to cut mortality rates of pregnant women and women in childbirth by 50 per cent. New emphasis was being placed on the health requirements of women, particularly in the rural areas. Efforts would be made to strengthen the maternal and child healthcare network and to enhance the training of doctors and health workers, with particular emphasis on the needs of women and with training programmes for grass-roots medical workers in preventive medicine and basic health care.

8. With regard to the questions set out in the report of the pre-session working group (CEDAW/C/1992/CRP.2, annex I), he said that he would respond first to the questions of a general nature, then take up those relating to specific articles of the Convention.

9. In 1990, out of its gross national product (GNP) of 1,768.61 billion yuan renminbi, the Chinese Government had allocated Y 22.176 billion to agricultural production assistance, Y 61.729 billion to education, culture, science and public health and Y 5.504 billion to pensions and social security. On the question of promoting women's awareness of laws, he said that, under the second five-year programme for the dissemination of legal knowledge, a wide range of measures was under way to promote legal education and awareness of the country's laws among its citizens, involving the participation of 300 million women.

Article 2

10. Under the provisions of the Act on Public Enterprises, both male and female workers had the right to participate in the democratic management of their enterprises. The intention of article 11 of the Act was to derive maximum benefit from the contribution of young workers, by giving full play to their managerial talents and initiatives and by drawing on the full range of their technical skills and innovative talents.

(Mr. Jin Yongjian, China)

11. Among local laws and regulations to promote the equality of men and women, he cited legislation on the protection of the rights and interests of women and children formulated by Beijing municipality, which stated that attention should be given to the promotion of women cadres to leading posts, by the city of Tianjin, which stipulated that the principle of equality of men and women should be implemented scrupulously and prohibited any discrimination in the recruitment of workers and managerial staff, and by the Inner Mongolian Autonomous Region, which stressed the importance of selecting and training women technicians and managers. With respect to remuneration, legislation had been passed in Jiangxi province establishing full equality of men and women in all employment matters and establishing equal pay for equal work, and Xingjiang Uygur Autonomous Region had adopted legal provisions ensuring the same rights for women as for men in all spheres of life, including the evaluation of professional titles and levels of remuneration. Local legislation on the allocation and construction of housing in rural areas included an act adopted by Liaoning province establishing equal rights for women to the allocation and use of private land and stating that male and female workers enjoyed the same rights to the allocation of houses, thus breaking with the previous practice whereby only men were entitled to housing. Similar legislation had been adopted by Hebei province.

12. Under the Constitution, the economic independence of all women, including widows, was protected by law, and violations of women's economic rights were punishable under China's criminal and inheritance laws. The Working Group on Women and Children, set up under the Internal Affairs Committee of the National People's Congress, was mainly concerned with legislative work, and its women members therefore mainly comprised women with legal backgrounds or administrative experience in the area of women's and children's welfare.

Article 5

13. The Chinese Government attached great importance to enhancing the image of women through the mass media; a seminar on women, development and the mass media had been held in 1990, with the participation of major news agencies and 37 newspapers and magazines, to discuss the role of the mass media in promoting a new, positive image of women, thereby ensuring their greater self-respect, self-confidence and independence. He conceded that the opening-up of the country to outside influences and the development of a commodity economy had increased the use of stereotypes of women in advertisements.

Violence (arts. 2, 5, 11, 12 and 16)

14. Violence against women was not a serious problem in China; active steps were being taken, in the context of programmes to raise popular awareness of the country's laws, to ensure due punishment for the perpetration of such violence. Under the Criminal Code of the People's Republic of China, rape of a woman was punishable by terms of imprisonment of between 3 and 10 years.

(Mr. Jin Yongjian, China)

Sexual relations with a girl under the age of 14 was considered to be rape and entailed an even heavier punishment. Acts of rape committed in aggravating circumstances or accompanied by serious bodily injury were punishable by terms of imprisonment of between 10 years and life, or by death.

15. Maltreatment of one family member by another was punishable, under the Criminal Code, by imprisonment of up to two years or by other measures such as criminal detention and public surveillance. If the maltreatment resulted in serious injury or death of the victim, the sentence was increased to between two and seven years. The Government had adopted a decision on the severe punishment of criminals who abducted and trafficked in, or kidnapped, women or children; the decision established a prison term of not more than 10 years for the crime of abduction of women or children and the death sentence, with confiscation of property, where the crime was accompanied by aggravating circumstances.

Article 6

16. Chinese law explicitly prohibited prostitution; its rules and regulations on public order established penalties for consorting with prostitutes, pimping and operating brothels, including detention, warnings, written confessions, rehabilitation through physical work or fines of up to Y 5,000. The Criminal Code of 1979 stated that those luring women into prostitution or operating brothels for profit were subject to prison sentences of up to five years, detention or surveillance, with more severe penalties where there were aggravating circumstances. The decision on the strict prohibition of prostitution, adopted in 1991, established sentences of 10 years to life, and fines of up to Y 10,000 for pimping. Public security organs and other relevant bodies were entitled to round up prostitutes and their customers and place them in rehabilitation projects lasting between six months and two years, comprising legal and moral education and productive labour activities. Compulsory medical treatment was administered to those suffering from venereal diseases. The Chinese Government aimed to eradicate prostitution through a gradual process of building up the country's economy, conducting ideological education programmes and strengthening the relevant legislation and law enforcement measures.

Article 7

17. Currently, 634 deputies to the National People's Congress, constituting 21.3 per cent of the total, were women and its Standing Committee had 16 women members, constituting 11.6 per cent of the total, and 2 women Vice-Chairmen, out of a total of 20 Vice-Chairmen. Among proposals put forward by women deputies concerning the protection of women's rights and interests, he mentioned the regulations adopted by the State Council on the protection of work by women employees, which had taken effect in 1998, as well as an important proposal on the preparation of a State law on the protection of the rights and interests of women. In the 1990 elections, the proportion of women

(Mr. Jin Yongjian, China)

elected to local People's Congresses had averaged 21 per cent and, in areas with higher levels of education and economic development, had run as high as 25 per cent. Of the 175 members of the Central Committee of the Thirteenth Congress of the Communist Party of China, 10 were women; of the 110 alternate members, 12 were women. The 200-member Advisory Commission of the Central Committee of the Communist Party of China included one woman.

18. Efforts to increase the percentage of women in People's Congresses focused on enhancing the capabilities of the women themselves, to ensure that they could play a more vigorous role in society; on educating women to overcome the inferiority complex they had inherited from centuries of feudalism and to foster their self-respect, self-confidence and independence; on mass public awareness campaigns to eradicate feudal notions of male superiority and, until complete de facto equality of men and women was achieved, on formulating the necessary policies and measures to ensure women's right to participation in the management of State affairs.

19. One of the main tasks of ACWF was to represent women in the Government and to help formulate laws and regulations concerning women. ACWF leaders held high posts in the National People's Congress, the People's Political Consultative Conference and relevant departments of the State Council. Currently, the Chairman of ACWF was also Chairman of the Financial and Economic Commission of the Standing Committee of the National People's Congress. Although there were three women Ministers in the Chinese Government and one woman Vice-President on China's Supreme Court, ACWF was trying to help more women obtain decision-making posts through its archive and recommendation system for qualified women.

20. ACWF admitted as members not individuals, but organizations. Any organization could join ACWF by filing an application and agreeing to abide by the Federation's constitution.

Article 8

21. Women represented 26.9 per cent of China's diplomatic corps, and China had eight women ambassadors.

Article 10

22. The 70 per cent figure cited in the first question under article 10 did not refer to the proportion of women who were illiterate, but to the proportion of illiterates who were women. In 1989, 95 per cent of school-age girls had been attending school; girl students in primary, secondary and higher education represented 46 per cent, 41.4 per cent and 33.7 per cent of the respective totals. Moreover, both ACWF and the State Education Commission were carrying out literacy programmes; the law on compulsory education was being implemented; and education funding was expected to increase.

(Mr. Jin Yongjian, China)

23. Chinese universities applied the same admission standards to male and female candidates. Boys and girls in urban and rural schools had equal access to sports activities; physical education was compulsory for girls as well as boys. In preparing teaching materials, the Chinese Government sought to establish the idea of equality of the sexes and a positive image of women.

Article 11

24. The principle of equal pay for equal work was applied in both State-owned and collective enterprises in China. He attributed the increase in the number of working women to the State's employment policy; there was no correlation between that increase and the drop in the male employment rate. The formalities for self-employed workers were non-discriminatory, and women's rights and interests were further protected through the assistance and legal advice of women's federations. In rural areas, most of the specialized enterprises headed by women engaged in traditional farming, animal-, fowl- and fish-breeding, processing, handicrafts, trade and services.

25. In cases of wrongful dismissal, female employees were entitled to assistance from their trade unions. In the event of discrimination in employment, women had recourse to the courts, which practised a system of final adjudication with two instances.

26. The State Commission on Education encouraged all employers to give all their employees occupational training; currently, the proportion of women trainees was over one third, which was about the same percentage represented by women in the total labour force. The Ministry of Labour's regulations on labour safety were observed by enterprises of all types, which were subject to corrective measures if they employed fewer women in order to avoid providing the required services.

27. Because it attached great importance to meeting the basic needs of former employees of bankrupt enterprises, the Chinese Government not only arranged for the appropriate re-employment of such workers, but also provided unemployment subsidies for periods of either 12 or 24 months, depending on the employee's seniority. Medical care, funeral subsidies and pensions for family members were also provided pending re-employment. The Government was responsible for retraining and guiding the unemployed in their search for new jobs.

28. Women from trade unions and from women's organizations had participated in the preparation of the new labour code. On the question of measures to deal with sexual harassment, he replied that the problem, which was not very serious in China, was addressed on a case-by-case basis by the competent administrative or judicial organs, in accordance with constitutional guarantees protecting the human dignity of every citizen.

(Mr. Jin Yongjian, China)

Article 12

29. There were no current studies of the effect of Norplant subdermal contraceptives on women's health because the use of the drug on a trial basis in recent years had indicated no serious side effects. China was currently developing and producing similar contraceptives. With respect to the UNFPA-assisted project in China, which had begun in 1979, he cited statistics showing that the infant mortality rate had dropped from 200 per 1,000 prior to 1949 to 34.68 per 1,000 in 1981. Information on health care and birth control had been disseminated through the distribution of printed materials, lecture tours, training courses, videotapes and exhibitions. The State Commission on Birth Control, the State Education Commission and the Ministry of Health were involved in those activities. Such information was aimed at both men and women, who had an equal obligation to practise birth control and an equal say in their choice of a method of contraception.

30. In accordance with the traditional Chinese reverence for the elderly, the Government had instituted social insurance, welfare and free medical and health care for that group. It was also conducting research on the ageing of the population. Elderly Chinese women were guaranteed equal rights with men, in terms of both care and opportunities to contribute to society. In reply to the question on the single-child policy, he cited statistics indicating that, although the percentage of one-child families had risen from 22.73 in 1970 to 52.22 in 1988, the male-to-female ratio over the same period had only changed from 105.9/100 to 106.8/100.

31. Although acquired immune deficiency syndrome (AIDS) was still rare in China, a number of cases had been detected in recent years. Consequently, the Government had set up a Working Group, a State Working Committee and an Expert Commission to coordinate its AIDS-prevention policy. It was also building a monitoring network; limiting imports of blood products, prohibiting the use of illicit injectable drugs, taking steps to control venereal diseases and trying to develop drugs to treat AIDS; and carrying out publicity campaigns on AIDS prevention.

Article 13

32. China considered that the care of the elderly, the solitary and the handicapped was the responsibility not only of various governmental agencies and popular organizations, but also of society as a whole.

Article 14

33. Economic reform in China's rural areas had led to the comprehensive development of agriculture, forestry, small-scale production, industry, trade, transportation, construction and services. Rural women therefore had the opportunity to engage in many occupations other than agriculture, and a number of them had become workers or managers in town- or village-run enterprises.

(Mr. Jin Yongjian, China)

The new contract labour system had improved efficiency and had led to great progress in tapping the potential of rural women in China. Products made for export by Chinese women included foodstuffs, handicrafts, garments, toys and electronic appliances. The products were generally ordered by foreign trade companies or manufacturers, and some were made with materials from abroad. Because the Chinese Government was unable to provide pensions to retired women in rural areas, the availability and level of pensions depended on the level of development of the collective economy in each region. The rural collectives allocated land according to family size, irrespective of the sex of the person concerned.

34. The Government was addressing the problem of providing potable water, sanitation and electricity to all inhabitants of rural areas by encouraging popular participation to accelerate the process.

Article 15

35. Marriage and the family were guaranteed protection under China's Constitution. The Marriage Law provided for free consent to marriage, monogamy and equality of the sexes, including equal rights to engage in production, work, study and social activities. That law had promoted both stability in family life and social progress through increased participation by women. Although women judges were often better able to understand women's situations than men, the interpretation of legislation in favour of women did not necessarily depend on the sex of the judge concerned.

Article 16

36. China's divorce rate was still the lowest in the world, though it had risen in recent years. Women's increased willingness to file for divorce was a sign of their emancipation. At the same time, however, China maintained its traditional emphasis on the family by providing information on the Marriage Law to every household, sponsoring the emulation campaign of "model families" and running special teaching programmes for newlyweds. In cases of disputes between spouses, the work units and trade unions of the parties concerned, women's organizations, the relevant legal departments and neighbours were all available to provide advice and mediation. In handling divorces, the Chinese Government and society always sought to protect the rights and interests of women and children.

37. Ms. CORTI said that, in its remarks on the implementation of article 2 (b) of the Convention, China had drawn attention to local laws and regulations regarding the protection of mothers who gave birth to girls. She asked why the Chinese Government considered such protection necessary.

38. With respect to article 6, she asked whether the Government of China was taking steps to protect women imprisoned for engaging in prostitution. She wished to know whether the Government was taking any measures to rehabilitate former prostitutes.

(Ms. Corti)

39. Referring to article 10, she inquired whether the literacy campaign in Tibet involved the teaching of Chinese or Tibetan.

40. With respect to article 12, she wished to know whether the Chinese people had freely accepted the Government's family planning policy, and whether the Government had succeeded in persuading families to have only one child. She wished to know what the Chinese Government's concept of the ideal family was.

41. Commenting on paragraph 2 (c) of article 14, she said that it seemed that women who lived in more developed areas derived greater benefits from social security programmes. China therefore seemed to be moving towards a less egalitarian society, since its less developed regions were at a distinct disadvantage.

42. With respect to article 16, the report indicated that, in the choice of husband, the traditional criteria used to be candour, sincerity and good temper but that, in recent years, young people had begun to place more stress on intelligence, educational background, professional skill, sociability and helpfulness at home. Those new criteria did not seem to be in keeping with the qualities advocated by a socialist society, since prosperous and competent young men often received more attention from women.

43. Ms. FORDE commended the Government of China for its detailed and painstaking report. She had had the opportunity to visit China and witness firsthand the outstanding work of ACWF. It was clear that China had reaffirmed its commitment to eliminating all forms of discrimination against women.

44. Ms. LAIOU-ANTONIOU said that she too had visited China and was well aware of the difficulties the Chinese Government was encountering in promoting equality and eliminating discrimination against women. Nevertheless, progress had so far been very slow and must be speeded up. In promoting equality, political will was not enough. Social and economic structures must be changed in order to eradicate traditional patterns of behaviour. While a small number of women were taking part in political decision-making, most Chinese women still faced discrimination and prejudice and were forced to continue their traditional role in society.

45. In its replies to questions relating to article 11 of the Convention, China had indicated that women received equal pay for equal work. However, the Committee's question had been whether the principle of equal pay for work of equal value applied in China.

46. Ms. EVATT said that more comprehensive and extensive education would promote women's economic independence and encourage their participation in government. She wondered whether the Chinese Government was placing greater emphasis on tertiary education for women in order to improve their position in society.

(Ms. Evatt)

47. It appeared that sexual harassment in the workplace was not a major problem in China, and she wondered whether that was because Chinese women had not had sufficient opportunities to discuss that issue.

48. She inquired whether the model daughter-in-law award still existed. The practice of rewarding virtuous daughters-in-law tended to reinforce traditional attitudes and should be abolished.

49. Ms. BERNARD thanked the Chinese delegation for its detailed replies contained in its second periodic report. ACWF was very well organized and had made a great contribution to improving the status of Chinese women. She too wished to know whether the daughter-in-law award was still in existence and, if so, what the rationale for having such an award was.

50. Ms. BRAVO NUÑEZ DE RAMSEY said that, in rural areas of China, centuries-old traditions prejudicial to women persisted. Such phenonema must be eliminated. If China fully implemented its progressive and well-thought-out programme of reforms, it could one day become an ideal society for women.

51. Ms. BUSTELO GARCIA del REAL said that it was difficult for people from other countries to comprehend the changes taking place in China. She therefore suggested that, in the next periodic report of China, information should be broken down according to the various regions of the country. The experience of Spain had demonstrated that democracy and economic development were vital for ensuring equality and basic well-being. Adequate production was essential for ensuring equitable distribution, and the broad dissemination of information that fostered respect for other traditions and ways of life would help eradicate ingrained prejudices and promote tolerance.

52. Ms. NIKOLAEVA said she was impressed by the Chinese Government's efforts to enhance the status of women in the family and society. She wished to know to what degree the Government of China had succeeded in improving the quality of life for women. ACWF had played a major role in training women, encouraging their political participation and involving them in development. In that regard, she wished to know how the Federation was financed.

53. Ms. SCHOPP-SCHILLING said that she agreed with Ms. Bustelo Garcia del Real that it would be useful for future reports to provide a breakdown of information by region, since that would make it easier to understand regional differences and introduce special programmes to deal with them. She also called for greater tolerance of cultural and political differences and asked whether women were prominent in the dissident movement, whether equality issues had been discussed in that context and whether any women were still detained or subject to restrictions as a result of their involvement in the movement.

(Ms. Schopp-Schilling)

54. She was concerned at the low number of women on the Central Committee of the Communist Party and felt that the problem was not lack of education but rather the structural barriers existing in a male-dominated society. She wanted to know whether the Party had any plans to introduce quotas for women in political positions.

55. Ms. AOUIJ welcomed the laws recently introduced to promote greater social equality but felt that the most important aspect was their implementation, since the application and interpretation of laws could be used either to hold up or accelerate developments. She hoped that in the case of China rapid progress would be achieved.

56. Ms. WALLA-TCHANGAI said that Chinese women were facing similar problems to women elsewhere, with the question of illiteracy being of particular concern. She commended their willingness to assist other women in their struggle. With regard to the law restricting families to one child, she was concerned that the preference for a boy child was prompting many women to abort female foetuses. She wondered whether that preference predated the introduction of the law or was a consequence of it.

57. Ms. AKAMATSU commended China for its report and thanked the Chinese representative for replying to the many questions which had been raised.

58. Mr. JIN Yongjian (China) said that the Chinese Government and women's organizations in China had made great efforts over the past 40 years to improve the status of women and eliminate discrimination, including the remnants of the feudal tradition, under which men were considered to be superior to women. The Government had also encouraged greater self-confidence, independence and self-esteem on the part of women, and today women played an important role in political, economic and cultural life, both in society at large and within the family. However, because of historical factors and continuing cultural and educational constraints, the situation was not entirely satisfactory and a number of problems remained. If genuine equality was to be achieved and the last traces of feudalism were to be eliminated, extensive efforts were needed on a long-term basis. Nevertheless, he was confident that progress could be maintained, since the Government had clear objectives and policies.

59. In reply to the questions concerning population, he noted that the Government had been advocating the one-child family and encouraging family planning since the late 1970s. That policy was in keeping with the current social and economic situation in China. Soon after the establishment of the new China, 60 per cent of families had more than three children. Had that trend been allowed to continue unchecked, the country would have suffered a population explosion. Given the limited amount of arable land available, it would have been impossible even to feed the population, let alone improve living standards.

(Mr. Jin Yongjian, China)

60. The one-child policy had been quite successful, as it had been seen to be in the common interest of the people and the country. However, there had been regional variations in implementation and the policy had been more successful in urban areas than in remote rural ones. Exceptions had been made in some areas where ethnic minorities lived and where population density was lower. For example, the policy had not been enforced in Tibet. The Government had relied on the mass media to provide the education and information necessary for applying the policy, and economic incentives had also been offered. In some areas, regulations had been introduced to protect women having baby girls, where the traditional preference for a boy might generate pressure on women to have an abortion.

61. On the question of prostitution, educational programmes had been introduced with the aim of providing an alternative livelihood, while treatment for venereal diseases had been made compulsory.

62. In reply to the question concerning the Tibetan language, he said that the Government of the autonomous region of Tibet had clearly stipulated that the Tibetan people were free to use and develop their own language. In 1987 the People's Congress of Tibet had adopted regulations giving the Tibetan language equal status with Chinese. It was the main language taught in schools and universities in the region.

63. On the question of regional differences in economic development, he said that, in a country as vast as China, levels of development had inevitably been uneven. Development had been rapid in coastal areas in the south and east and slower in the remote rural areas of the interior. The Government was seeking to achieve balanced development in all regions.

64. With regard to the criteria for marriage, he said that women now placed greater emphasis on the talents and abilities of potential husbands, a situation which reflected the economic development the country had experienced. As for the participation of men in household chores, the situation had improved considerably. In urban areas, both men and women now worked and they had been forced to share household responsibilities. The traditional division of labour was still more prevalent in rural areas, but there too the situation was changing.

65. In reply to the question concerning equal pay, he said that provisions to ensure equal pay for work of equal value did exist.

66. With regard to women's participation in political life and political activities, he said that under the Chinese Constitution men and women enjoyed all civil and political rights without distinction as to sex. Of course, there were those, both men and women, who did not agree with government policies, but the Government respected dissidents and did not consider different political or religious views to be grounds for discrimination.

(Mr. Jin Yongjian, China)

67. Sexual harassment did exist in China but was not a major problem, since relations between the sexes were governed by traditional family values. Anyone who violated those values would be exposed to social criticism and to criticism from within the family.

68. In reply to the questions concerning the daughter-in-law award, he said that there was a long tradition of responsibility for the elderly in China and it was customary for different generations to live together. Consequently, it was very important to promote good family relations and a sense of responsibility towards the elderly, and that was the purpose of the award.

69. He fully agreed that, in order to improve the status of women, emphasis must be placed on education and cultural exchanges. The Government had always attached great importance to education for girls, and ACWF had made great efforts to promote exchanges between women. As to the question of funding, the Federation was supported mainly by the Government, but also by donations.

70. In reply to the suggestion that China's third periodic report should provide more regional information, he said that his Government would study the matter closely. With regard to increasing the number of women in senior positions in the Chinese Communist Party, he said that it was Government policy to promote the status of women and he felt sure that the Communist Party shared the same objectives.

71. The CHAIRPERSON said that the report submitted by China contained two new and positive elements, namely the new laws to bring about equality adopted since 1985 and the structural adjustment measures designed to reform the economy. She welcomed the fact that the resources derived from increases in GNP were being earmarked for economic and social programmes which would benefit women, since in many cases structural adjustment programmes worked to the detriment of the more vulnerable categories of the population, particularly women. She therefore hoped that China's third periodic report would provide an assessment of that experience, which could prove useful as a model for other countries.

72. She noted that illiteracy was still a major problem but expressed satisfaction at the high percentage of women (26.9 per cent) employed in the diplomatic corps. The Committee had also been concerned that efforts to limit the population might be undertaken at the expense of women, given the preference for male children. However, the figures provided by the representative of China had removed such fears. Lastly, she hoped that China's next report would provide more detail on actions by the Government to eliminate customs deriving from the country's feudal past.

The meeting rose at 6.15 p.m.

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Eleventh session

SUMMARY RECORD OF THE 196th MEETING

Held at Headquarters, New York,
on Friday, 24 January 1992, at 10 a.m.

Chairperson: Ms. TALLAWY

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Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Other matters

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The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial, second and third reports of Honduras (continued) (CEDAW/C/5/Add.44, CEDAW/C/13/Add.39 and Amend.1 and CEDAW/C/HON/3)

1. At the invitation of the Chairperson, Ms. Rosales Paz (Honduras) took a place at the Committee table.

2. Ms. ROSALES PAZ (Honduras) said that although the Honduran Government was making efforts to implement the Convention, many of the measures it had undertaken would only produce results over time. The reason that there were no mechanisms or services to provide direct support to women who were victims of discrimination was the lack of economic resources. Consciousness-raising activities designed to eradicate discrimination were also an arduous undertaking. However, the Summit Meeting of the Central American Presidents had helped create a national and regional political framework for undertaking social tasks. Moreover, a group of women members of the National Congress was promoting the reform of legal provisions that were detrimental to the rights of women and was undertaking research and organizing seminars in which non-governmental organizations, women's associations and representatives of some governmental bodies had begun to participate.

3. Equality of men and women in the work place was regulated by articles 127 and 128 of the Constitution concerning the right to free choice of an occupation and the principle of equal pay for equal work where the post, working hours, output and length of service were also equal. In practice, there was some wage discrimination, but women working in the same professions as men had begun to campaign for equal pay. Discrimination was more a matter of hierarchical subordination; for many years, Honduran women had been relegated to "female" occupations. More recently, the high cost of living and the increase in the number of single mothers had led many more women to seek paid work outside the home and also to pursue higher education.

4. She read out the text of the provision of the Family Code concerning women's entitlement to maintenance from their husbands (page 7 of the report). Spouses were also required to educate and instruct their children and, in the event of divorce, the divorce ruling awarded the right to maintenance to the innocent spouse and to the children. Although the penalty of imprisonment for men who defaulted on maintenance payments deprived such men of the opportunity of employment, that provision did act as a deterrent; if other types of penalties were to be considered, it would have to be determined whether they were practically feasible. No funds were available for efforts to increase men's awareness on that issue.

(Ms. Rosales Paz, Honduras)

5. Articles 64 to 80 of the Family Code regulated the economic regime of marriage. Those articles were concerned with community of property, premarital agreements on existing property and property acquired during the marriage, and disposition of property in the event of dissolution of a marriage. They also regulated the financial obligations of the spouses and made provision for debts and extraordinary expenses. Both spouses administered the marital property; one of the spouses could administer it if the other spouse agreed, but such agreement could be withdrawn and even replaced by separation of property if the property was mismanaged.

6. Women's organizations in Honduras were trying to coordinate their activities in order to find solutions to common problems. They were currently meeting at Tegucigalpa to draw up a Plan of Action for the implementation of a "women's policies" project. New appointments were also being made to various ministries to deal with women's matters.

7. There were no special regulations on migrant women although, if their rights were violated, they could file complaints and have the necessary investigations carried out. Although there were no special programmes for refugee women, some components that benefited women had been included in projects such as the Trifinio plan.

8. The National Social Welfare Board, through its programmes for street children, tried to find homes for juvenile girls engaged in prostitution and provide them with material assistance. A UNICEF publication had estimated that there were some 500 street children in Tegucigalpa alone and a further 1,000 in other Honduran cities. Statistics on prostitution were not available because of lack of resources; for the same reason, it was difficult to provide vocational training for prostitutes. Control of prostitutes was effected mainly for health reasons in the main cities of the country.

9. On the question of maternity leave, because of the difficult economic situation in Honduras women did not necessarily feel discriminated against if they were not able to take long periods of maternity leave.

10. No statistics were available on the number of women engaged in the maquila (semi-processing) industry. It was very common for employers in the private sector to check whether female employees were pregnant. The provision in the Labour Code referring to the intellectual and moral development of women and minors was likely to be amended since the Labour Code was currently under review. The indication in the Criminal Code of 1984 that the physical and organic damage and the moral trauma engendered in a male rape victim might be more serious than in a woman was also likely to be amended.

11. In respect of education, according to the 1988 census a total of 610,534 residents of urban areas (including 209,764 women) and 88,498 residents of rural areas had received no education. Many children did not receive secondary education because of the lack of resources. Even at the primary

(Ms. Rosales Paz, Honduras)

level, not all needs could be met. Regarding school drop-out rates, many inhabitants of rural areas barely completed three years of schooling. There were higher rates of school attendance for girls between 7 and 9 years but the rate fell after the age of 10 since girls were often needed to help in the home, especially in families headed by single, divorced or widowed mothers. Such women had numbered 267,000, including 130,000 in rural areas, in 1985.

12. There were no figures on the contribution of women to national production. However, according to a survey carried out in 1987, 80 per cent of workers on the labour market were men and 20 per cent were women.

13. There were no statistics on clandestine abortions, since there was no control over them. Consciousness-raising in respect of family planning would show results over time; so far, there had been no significant decline in the birth rate. Family planning activities were carried out to the extent permitted by the resources of the Ministry of Health. The provision that girls needed to be 16 but boys needed to be 18 to marry was sexist and might be amended at a future date.

14. The domicile of spouses had formerly been determined by the husband. Under the current Family Code, the domicile of spouses was the common home and the domicile of children was the same as that of their parents.

15. Obstetrical care was provided in hospitals and at health centres in rural areas. The Ministry of Health frequently provided training for all female birth attendants in the country's eight health regions. The activities of the Maternal and Child Division had been intensified to provide preventive health services and prenatal care for women. Under the Maternal and Child Health Project (PBMI), services were provided to pregnant and nursing mothers and children under the age of five in the poorest areas; in 1991, 14,000 women and 42,000 children had benefited from those services. Under an agreement signed recently by the Ministry of Education with regard to educational and cultural integration, maternal and child and pre-school education were to be incorporated into the formal educational system.

16. In general, men were reluctant for their wives to join cooperatives. In September 1991, 600 women had participated in a workshop on "Women and the cooperative movement" held at Tegucigalpa and sponsored by the International Cooperative Alliance; the purpose of the seminar had been to formulate a strategy for incorporating women into the development process through cooperative activities. The strategy would cover such matters as loans, credit, youth training programmes, environmental protection, quantification of domestic work, increasing the number of women in decision-making posts, incorporating displaced or repatriated women into the production process, family planning, support services for working women and abolishing female stereotypes. The seminar had been attended by international organizations present in Honduras and national non-governmental organizations.

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17. It was possible that employers gave preference to male job applicants for economic reasons and because of existing stereotypes. As to activities to change socio-cultural patterns, the Ministry of Education had made changes in school textbooks and in the materials used for training courses. With regard to less educated women, the National Congress, rural development departments and sections, the Ministry of Health and some non-governmental organizations had organized seminars and training workshops and had distributed information. They had also tried to distribute information on AIDS to even the remotest areas of the country.

18. Although the issue of sexual harassment was not regulated under Honduran law, the group of women members of the National Congress had drafted legislative proposals which included prison sentences for different forms of sexual harassment (art. 151 of the draft Criminal Code).

19. The draft Criminal Code being prepared for the National Congress included provisions designed to combat the exploitation of prostitution: articles 152 and 153 would impose prison sentences for procurement and for traffic in women, men or minors. The laws punishing violence against women covered all women, including prostitutes. In practice, however, prostitutes did not often report cases of violence.

20. Members of the armed forces did not have the right to vote because, by law, the armed forces of Honduras were an apolitical institution.

21. Honduran nationality was acquired by birth or by naturalization; any one born in the national territory, with the exception of children of diplomats, was Honduran, as were children born abroad of Honduran parents or on Honduran ships or aircraft; children of unknown parents found in the territory of Honduras were also Honduran. Article 27 of the Family Code provided that neither matrimony nor its dissolution affected the nationality of the spouses or of their children.

22. The 1906 civil provisions regulating marital rights and duties provided inadequate legal protection for women. In interpreting the law, the police had not normally intervened to enforce the duties and rights of spouses. Over time, that had increased the subordination of women within the home since not only the police but also society in general had ignored cases of domestic violence. Under criminal legislation, unless death or serious injury resulted, such cases were regarded as mere misdemeanors. The current Family Code was based on equality of the spouses; however, the police still did not intervene in cases of domestic violence. The most frequent forms of domestic violence were physical abuse of various kinds and psychological and moral abuse, including abandonment, deprivation of property and social isolation. The legal regulations applicable to cases of domestic violence related to cases of separation or divorce (Family Code). However, the Criminal Code penalized murder and physical injury and also included provisions applicable to cases of denial of family assistance and crimes against persons.

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23. The Family Code provided for separation as an alternative to divorce; contested divorces could be granted on grounds of cruelty or mistreatment of the other spouse or the children, failure to provide maintenance to the other spouse and the children and abandonment. Thus, domestic violence could be remedied under civil law without resorting to criminal penalties.

24. The Criminal Code also laid down penalties for crimes against a woman's life and physical integrity. Denial of legally required family care to a spouse or children under 21 years of age was punishable by one or three years' imprisonment. Declaration of bankruptcy, assignment of assets to third parties, abandonment of employment or fraudulent claims in order to avoid alimony payments were punishable by imprisonment of six months to one year. Men who abused a spouse without causing injury were subject to 15 to 60 days' imprisonment. The penalty for women offenders was 10 to 30 days' imprisonment. Abuse of a visibly pregnant woman without causing injury was punishable by 15 to 60 days' imprisonment.

25. Women who had been rape victims or victims of violence or cruelty in the home could seek legal redress by filing a complaint. If the victim was a minor, the complaint was filed by the legal representative; it was filed by the mayor's legal counsel, the Public Prosecutor's Office or the judge at the request of a neighbour if the offence was committed by the father or guardian. The accusation must be made immediately so that a medical examination could be conducted for evidence of injuries caused by a sexual attack or physical violence, and in order to determine the complainant's physical and mental state. Beyond that, it was extremely difficult to prove such offences because of the circumstances in which they generally occurred; and the long-term social consequences for the victim were unpredictable. Battered women could institute proceedings in order to obtain a maintenance for their children. There were many such cases before the family courts. A woman could bring action in court for physical cruelty if her husband repeatedly attacked her or endangered her life of her children's lives. Cases of psychological abuse in the home were rarely reported and were generally the cause of separation or divorce. Other types of cruelty included abandonment of children in order to escape the obligation to provide for them, as stipulated by the Family Code.

26. In low-income families, husbands frequently had possession of the small plots of land granted by the Government which their wives tended and cultivated. As the acquisition of such plots was highly irregular, women could claim title to them only under municipal law. Rural men frequently denied their wives freedom to work or form associations. It was hoped that improvements would be brought about by the Agrarian Reform Act, whose objectives were to enable women to acquire urban and rural land directly; give preference to the wife in awarding title to land in the event of the husband's absence or death; grant title to property distributed by the Instituto Nacional Agraria (National Agrarian Institute) in the couple's name, in accordance with the provisions of the Family Code on the establishment of the

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family estate; and repeal laws or administrative practices that restricted women's rights to acquire land or housing. The previous agrarian reform legislation had largely sanctioned the violent attitude of some men as lords and masters of their plots of land, thereby perpetuating a situation which left women unprotected. For that reason, the National Congress now maintained that there could be no genuine development as long as a large segment of the population was marginalized and discriminated against.

27. Penal legislation classified offences against sexual freedom and decency, including the crimes of rape, affront to decency and abduction. The terminology in the 15 articles covering those offences reflected patriarchal biases and lack of respect and consideration for women of all social classes. The definition of rape was based on the concepts of virginity and decency, and the penalties were based on subjective criteria such as "good reputation" and "decency". Penalties for abduction were waived in exchange for marrying the victim and, in general, were relatively lenient, ranging from sentences of one to nine years, depending on the circumstances. In cases of incest, which was common in Honduras, the maximum penalty did not exceed five years. Only in exceptional cases were offences prosecuted by the courts or public charges brought by the mayor's legal counsel or the public prosecutor's office. Proceedings were complicated and emotionally damaging for the victim, not only because of the evidence required but also because the judicial and police authorities were often subjective, indifferent, careless or poorly trained. There was no legal protection against the longer-term effects of such offences on a woman's self-esteem. The Criminal Code contained no provisions on sexual crimes against women considered to be of ill repute and also granted an express pardon to offenders who reached a settlement with representatives of a minor or married person they had raped or abducted. Such a situation was an affront to women's dignity and security.

28. The extent of violence against women in Honduras was unknown. It was only recently that violence and its causes had begun to be studied. Statistics were compiled only in the two main cities, Tegucigalpa and San Pedro Sula, and the only cases recorded were those which had been brought before the criminal courts or reported by the media. The tendency to cover up such offences, which was rooted in social and cultural models, meant that there was little documentation on the problem. Statistics on the sex and age of victims and offenders, the relationship of the offender to the victim, the places in which such offences occurred, offences against adolescent women and offences involving incests, as reported to the Francisco Morazán Forensic Department in 1988, had been distributed to Committee members.

29. She then turned to the strategy proposed by the Honduras Corporation for Forestry Development for developing equitable participation by rural women in the forestry sector. The aim was to improve the living conditions of rural women through income-generating programmes, enable them to participate in the management, conservation, protection and use of forests and promote social and family projects involving men and aimed at eliminating stereotypes. Support

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measures would be taken to enable women to devote at least part of their spare time to forestry protection, with the goal of seeking alternative sources of fuel and water. Technical staff would be trained to work with women and recognize the value of women's role, and the relevant provisions of the Municipalities Act, the Labour Code and the Family Code would be revised.

30. The strategy recommended that all projects and programmes for women should be comprehensive, covering aspects of both production and reproduction. Encouragement should be given to farming and forestry projects which generated income and guaranteed food security, through the cultivation of family vegetable gardens. Assistance should be given to supporting and consolidating women's organizations. Equitable participation between men and women should be encouraged in mixed groups and measures coordinated with non-governmental organizations. Long-term training strategies should be developed to familiarize officials and experts with the specific problems facing women in agriculture and forestry, including a cultural, recreational and educational component. Conditions should be created to ensure access to credit, technical assistance and help in marketing the produce of the land and forests. Support services should be provided to ease the burden of child care and domestic chores, so as to free women to take part in other activities. Protection and conservation of community water sources should be encouraged and quick-growing trees planted for firewood and other uses. Women's role in decision-making and their status in society should be enhanced, while laws and regulations limiting access to productive resources should be revised. More information should be provided on land resources, production and credit facilities and efforts should be made to harmonize the legislative instruments of the various bodies operating in the sector.

31. The main conclusions to be drawn from the relevant documents were that account must always be taken of the social and cultural factors determining the situation of women and that genuine participation by women in projects was not possible unless the prejudices of officials and experts could be overcome. There had been a lack of professionalism in promoting the advancement of women and, by comparison with other sectors, little had been achieved. Account had not been taken of women's problems when drawing up the various national programmes and women had not been properly involved in the formulation and management of projects. The main problems of illiteracy, poor education and the burden imposed by household chores and child care had not been properly addressed, while the role of women in projects and in society at large had not been given due weight. In that regard, she drew the Committee's attention to a number of publications concerning the situation of women in Honduras.

32. Ms. GONZALEZ MARTINEZ expressed appreciation to the representatives of Honduras for the extremely thorough, frank and sincere answers to the Committee's questions. In Honduras, as in other Latin American countries, cultural patterns were so entrenched that it would be very difficult to bring about change in the short term. The Government could help to increase

(Ms. Gonzalez Martinez)

awareness among Honduran women and men of the need for social and cultural change and changes in attitude, without which it would be very difficult to implement legislation in favour of women. She hoped that, once peace was firmly established in Central America, the Honduran Government would focus on measures to improve the status of women.

33. Ms. LAIOU-ANTONIOU also expressed appreciation to the representatives of Honduras for the tremendous amount of information they had provided. The Honduran report was one of the few to mention the very vital issue of the environment, in which women played a special role. The rise of ecofeminism reflected the fact that women's values were often more in tune with environmental concerns. The Nairobi Forward-looking Strategies had focused on women's participation in development, but it should not be the kind of development conceived and planned by men, one that was profit-oriented and rooted in patriarchal attitudes. Perhaps the Strategies should incorporate the concept of sustainable development, which was replacing the concept of development without regard for the environment.

34. While existing legislation in Honduras provided for equal pay for equal work, it was less specific about equal pay for work of equal value. Very often, jobs traditionally held by women, such as nursing, were undervalued by comparison with jobs held by men (technicians, plumbers, etc.), whose social contribution was not as great. The report also did not indicate whether Honduras was a party to the conventions of the International Labour Organisation.

35. Ms. ABAKA expressed concern that the denial of voting rights to members of the armed forces infringed their fundamental human right to participate in the political process. The concept was also very broad and seemed to include members of the police and prison wardens. She hoped that the issue would be addressed in future periodic reports.

36. Ms. BRAVO NUÑEZ DE RAMSEY said that, as a national of Ecuador, she had no difficulty grasping the issues raised by the representative of Honduras; both countries had dependent economies and faced similar problems. As countries changed, sexual stereotypes must also change and men, as well as women, must participate in that process. In future reports from Latin American countries, she would appreciate information on the role which men were playing in the advancement of women.

37. She also had no difficulty understanding what had been said about the armed forces and the police in Honduras. Until recently, coups d'état had been frequent in Latin America and sectors of the armed forces had been at odds with one another. In response to that situation, Latin American countries had enacted legislation placing the army under the authority of the State and requiring it to act within a legal framework. Accordingly, the armed forces should have no involvement in elections but should protect electoral freedom.

38. Ms. BUSTELO GARCIA del REAL expressed appreciation to the representative of Honduras for her frank answers to the questions put by members of the Committee. The conclusion to be drawn was that significant legal changes remained to be made, for example, to the Criminal Code. It was also clear that Honduras must advance in its economic and political process if it was to comply not only de jure, but also de facto, with the Convention. The Government should be reminded that the implementation of the Convention would contribute to the country's economic, social and cultural development by harnessing the energies of women. The World Bank had recognized that as an efficient means of promoting world development; because of cultural traditions, however, Governments often had difficulty grasping the importance of women's issues.

39. The CHAIRPERSON asked the representatives of Honduras to convey to their Government the Committee's appreciation for its efforts to implement the Convention. In evaluating the progress made in improving the status of women, the Committee had taken into account political conditions in Honduras and in most other Latin American countries; it had also taken note of the Convention's positive impact on Government action. A number of measures had been taken in the areas of the family, the Criminal Code and agrarian reform and a new system had been established for evaluating the impact of agrarian reform on rural women. It was to be hoped that future reports would contain indicators of the success achieved in that area. At the same time, there was still some uncertainty as to whether or not the Criminal Code discriminated against women, and it was to be hoped that the Government would take steps to remove the remaining obstacles to legal equality. Another area which required attention was the right of women to work and to equal pay for work of equal value.

40. With regard to violence against women, the Committee recommended that the national authorities should monitor the problem closely and should take steps to raise awareness. The Committee also hoped that the Government would undertake campaigns to eliminate stereotypes which undermined the status of women and their contributions to society and that such campaigns would be aimed at both men and women.

41. Ms. Rosales Paz withdrew.

OTHER MATTERS

42. Ms. AOUIJ said that one point which had emerged from the Committee's consideration of reports by four States parties was that, in developed and developing countries alike, an increasing number of women were becoming the primary breadwinners in their families. The family was undergoing a radical restructuring and it was incumbent on the members of the Committee, who were pioneers in that field, to analyse the factors which were increasingly leading women to reject their traditional role in society.

43. Ms. BUSTELO GARCIA del REAL agreed with the previous speaker and suggested that the issue should be discussed at the Committee's next session, as part of its contribution to the International Year of the Family in 1994.

44. Ms. NIKOLAEVA, referring to paragraphs 35, 36 and 38 of document A/46/38, said that in June 1991 she had submitted to the Chairperson a proposal on training women for participation in the World Conference on Women, to be held in 1995; however, the proposal had not been included in the documentation for the current session. She wished to place on record her understanding that the Secretariat was to have made available at the current session a summary of the various proposals on that subject in order to facilitate the Committee's work.

45. Ms. BRAVO NUÑEZ DE RAMSEY observed that much of the documentation before her was not in Spanish; she requested the Secretariat to ensure that all Committee documents were made available in all the official languages.

46. Ms. CREYDT (Secretary of the Committee) said it was a matter of record that the working documents for the session had been sent to all the members of the Committee in their respective languages. There were, however, some reference documents in English and Spanish which had been sent only to experts who spoke those languages, so as to enable them to have input in some specialized areas. The draft report was currently being translated into all the official languages; the Committee had agreed that the language versions which were already available should be circulated so that members of the Committee could make preliminary comments thereon.

47. The CHAIRPERSON, referring to the statement by Ms. Aouij, said that the representatives of both China and Barbados had noted in their reports the link which existed between the political history of the State and contemporary customs and traditions; that link should be further explored.

48. Ms. LAIOU-ANTONIOU said that the principle of legal equality between men and women was now accepted in most, though not all, countries and that once the relevant legislation had been enacted, the women's movement tended to lose momentum. Although women in most countries were aware of their rights, there was little discussion of what was being done under article 5 of the Convention to raise men's awareness and enlist their support for equality. The Committee should discuss the possibility of having a number of men participate in its work, perhaps through a quota system; that might make the Committee's recommendations more acceptable to men.

49. Ms. ALFONSIN DE FASAN said that she shared the concerns raised by Ms. Aouij, as did all members of the Committee. It was useful to compare the situation in Barbados, where women had benefited from their traditional role as head of household, with that in China, where women remained in a subordinate position. She wondered whether women chose to live without men as a way of affirming their personal dignity and spiritual needs. Although the nuclear family remained the ideal, it could not be maintained unless women succeeded in raising men's awareness.

50. Ms. EVATT said she, too, agreed with Ms. Aouij and others that it was extremely important for the Committee to study the reasons for the growing number of female-headed families. If that situation was to become the norm, increasing importance must be attached to education.

51. The Chairperson's comments on the reports by States parties were useful, and the Committee might want to adopt them as a general summary.

52. With regard to Ms. Laiou-Antoniou's suggestion that men should participate in the Committee, while she was not opposed to the concept of quotas, she felt that it should apply equally to men and women on all the human rights treaty bodies.

53. Ms. GONZALEZ MARTINEZ said that in most societies, children's education began at home, with mothers having primary responsibility. In Latin cultures, mothers often assigned stereotypical roles to children of both sexes; girls were taught to make beds, set the table and cook, while boys' chores included washing the car and repairing appliances. It was important to remember that women's awareness must be raised so that they would bring up their sons differently.

54. Ms. FENGER-MOLLER agreed that it was very important to raise the consciousness of boys and men. Women were role models for their sons and must bear responsibility for the attitudes they developed, although educational systems and school textbooks were also important. However, the Committee was mandated to combat discrimination against women. Women in her country had been emphasizing the importance of working with men to combat stereotypes, but women's organizations argued that it was women who still faced the greatest number of problems. A debate was needed on the reasons why women became heads of household, other than when they were widowed or abandoned.

55. She noted that, contrary to the situation in some other countries, in her country it was precisely because women had education, training and employment that they decided to become single mothers. That choice was closely bound up with women's dignity. The tendency was for the family to break up through the woman's departure, no longer the man's desertion, as women became discouraged with men's failure to share in family life. It was important for both men and women to be able to combine working life with family life.

56. In the end, it was for men to raise their own consciousness and learn to value fatherhood. If women were to be called upon to solve men's and children's problems as well as their own, they would never get anywhere.

57. Ms. LAIOU-ANTONIOU agreed, and thought that everyone would agree, that women did bear responsibility for bringing up their children on the basis of equality between the sexes. However, the world at large was constantly undoing what was done within the family. Cinema, the mass media and advertising were all still under the control of men, whose consciousness had been raised to a remarkably small degree, so that efforts to socialize boys to

(Ms. Laiou-Antoniou)

recognize the equality of girls were continually frustrated. Women had been hearing for a long time that they were reinforcing gender stereotypes, but they were now finding that even their best efforts did not guarantee success.

58. Ms. QUINTOS-DELES said that in the Philippines the husband was viewed as a kind of elder son, whose departure meant one child less to look after. The situation of the female head of household, however, was complicated by the assumptions inherent in the laws of many countries: that there were two spouses and that any income earned by women was just pin money. There was a need to change the whole system. For example, in school, even children from liberated households were expected to say that the father went to work while the mother stayed home, and that caused a cultural conflict for the child.

59. Ms. BRAVO NUÑEZ DE RAMSEY pointed out that the very shape of human society was at stake. She saw three factors at work in the recent evolution of the situation. First, women had gained much greater self-esteem in developing and developed countries alike, as could be seen from the increased numbers of women heads of household. Second, economic necessity was redefining gender roles, because societies needed to integrate women into economic life. In the process, however, women were achieving economic independence which led inevitably to other forms of independence. Third, new family structures were emerging to replace the nuclear family, and the change had finally reached the legal sphere.

60. The CHAIRPERSON observed that the discussion had generated new ideas and highlighted current trends in different societies around the world. The emergence of heads of household, which could have a positive or negative impact on women themselves, their children, and society at large, needed further study, as did the need for women to avoid the mistakes of previous generations and attempt to bring up their sons and daughters in an egalitarian way.

61. Ms. SCHOPP-SCHILLING suggested that for its next session the Committee might prepare comments on that issue under article 16 of the Convention, in preparation for the International Year of the Family and for the 1995 World Conference on Women.

62. Ms. AOUIJ welcomed the dicussion and exchange of views and comments, especially since some members had things to say that could not be formulated as readily in the presence of national representatives.

63. It was necessary to involve men more closely in women's issues so as to consolidate the gains already made. Women could take a long-term approach through the education of their children and, simultaneously, work in the short term with the men with whom they came into everyday contact in Government and business. For instance, the six women deputies in the Tunisian Parliament, having noticed that men tended to pay more attention when men spoke, occasionally got their ideas accepted by persuading a male deputy to present

(Ms. Aouij)

them or by having their own suggestions seconded by two or three male deputies. The procedure seemed to be effective. Men's help was necessary, indeed essential, and their involvement and increased awareness was therefore indispenable, in Tunisia and elsewhere.

64. The CHAIRPERSON raised the question of the reservations to the Convention entered by numerous countries. She wondered what action the Committee could propose to the Economic and Social Council on that point.

65. Ms. CREYDT (Secretary of the Committee) said that the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights had noted in a report that an application to the International Court of Justice concerning reservations to the Convention had been considered. The Subcommission had thought it better for States parties to make such an application, however.

66. Ms. LAIOU-ANTONIOU proposed that a study should be made of the issues concerning which Member States had entered reservations to the Convention. The main issue was no doubt abortion, as some States suspected that there might be a hidden obligation under article 16 for States to legalize abortion.

67. Ms. BUSTELO GARCIA del REAL said that the Committee should issue a statement about the fact that the Convention was the international human rights instrument to which the most reservations had been entered. Moreover, the reservations were usually substantive and general, not specific. The Committee should be concerned that such reservations might invalidate the content of the Convention and hence hinder its implementation. A ruling by the International Court of Justice on such reservations might be useful.

68. Ms. OESER said that the problem of reservations had arisen at the very beginning of the Committee's deliberations. Even though, under article 28, a reservation incompatible with the object and purpose of the Convention was not permissible, the question was, who was to decide what was compatible and what was not. The Committee, in any case, was not competent to interpret that article; what it could do was approach the States parties and suggest once again that the issue be referred to the International Court of Justice by the States parties.

69. Ms. GONZALEZ MARTINEZ said that Mexico had from the outset rejected the reservations entered by other States and had suggested repeatedly that the issue of reservations should be raised with States parties. The Committee's role was limited to expressing praise for or disapproval of States' actions.

70. Ms. ALFONSIN DE FASAN said that if the Committee really did covertly encourage the legalization of abortion, many of its members would not be present. It should be made clear to States parties that the Convention had no such aim.

71. The CHAIRPERSON said that it was not the Committee's role to give any such explanation. She asked Ms. Oeser to write a short recommendation on the subject of reservations on behalf of the Committee, to be presented to the States parties at their next meeting.

The meeting rose at 1.05 p.m.

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Eleventh session

SUMMARY RECORD OF THE 197th MEETING

Held at Headquarters, New York,
on Monday, 27 January 1992, at 10 a.m.

Chairperson: Ms. ALFONSIN DE FASAN

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The meeting was called to order at 10.10 a.m.

STATEMENT BY THE DIRECTOR-GENERAL OF THE UNITED NATIONS OFFICE AT VIENNA

1. Ms. ANSTEE (Director-General of the United Nations Office at Vienna) said that the Committee was considering difficult issues that took on even more importance in the context of the cataclysmic events occurring in the world at large. Even as the threat of global conflict was receding, more destructive internecine conflicts had arisen. Some of the developments in Central and Eastern Europe, although positive in themselves, had not necessarily been advantageous to women, since the situation, economic and otherwise, of the civilian population had yet to improve and indeed had worsened in many cases.

2. There was growing recognition of the need to safeguard human rights, which, in periods of conflict, could be ensured only by the application of international norms. Continuing improvements in human rights were particularly important to women, since they did not share equally with men in existing rights. Concern for human rights was the only way to ensure that women could participate equally with men in the changes to come at the global and national levels.

3. The de jure existence of human rights in no way implied that such rights would exist de facto. It was useless to increase the number of countries that had ratified the Convention if it was not in fact being implemented. In its attention to implementation, the Committee set an example for the Centre for Human Rights and for human rights bodies in general.

4. Concern for human rights was growing closer to the main focus of the United Nations Office at Vienna, which was social policy and norms and standards of behaviour in society. In that context, the Office was now focusing on certain profound misconceptions, among them the idea that human rights issues were gender-neutral. That was not the case any more than it had been proved to be the case with social issues, yet preparations for the World Conference on Human Rights were going ahead as if human rights issues were indeed gender-neutral. The Committee could make a major contribution by drawing attention to that misconception, since by definition women's rights were an essential part of human rights. Appraising human rights meant assessing the total situation of the people involved, which meant that there was a need also for gender analysis. For example, the issue of violence against women showed up deficiencies in certain societies' human rights records. As a treaty body, the Committee could exert great influence on the Commission on the Status of Women and was uniquely placed to maintain a continuing dialogue with States parties. Its contribution to the World Conference on Human Rights would serve to emphasize the link between human rights and women's rights.

5. She hoped that the upcoming Security Council summit meeting would look at security not only from the military standpoint but also in the much broader context of social stability and equality of rights for all men and women.

6. Ms. EVATT welcomed the comments made by the Director-General concerning the World Conference on Human Rights. She noted, however, that despite increased support from the Secretariat, the Committee had an extensive backlog of reports of States parties. Although it was doing its best, it would need extra resources and more than just a two-week session if its performance was to improve.

7. Ms. ANSTEE (Director-General of the United Nations Office at Vienna) assured the Committee that the Secretariat was painfully aware that the resources it could make available were inadequate to the task. Representatives of States parties frequently asked the Secretariat to help them with the preparation of reports or even with the implementation of the Convention in their countries. She had far too few staff to accede to all such requests. She urged members of the Committee to put pressure on their own Governments to provide support and encouragement for the implementation of women's rights.

8. Ms. EVATT said that the Committee was receiving increasing assistance from non-governmental organizations such as International Women's Rights, Action Watch, and the International League for Human Rights. Perhaps the Secretariat could help by simply coordinating such efforts.

9. Ms. ANSTEE (Director-General of the United Nations Office at Vienna) said that her Office worked closely with some 500 non-governmental organizations and was very conscious of, and grateful for, their contributions, which made it possible to reach out to women and women's groups everywhere; however, that was no substitute for an adequate core programme at the United Nations.

10. Ms. SCHOPP-SCHILLING agreed with Ms. Evatt as to the need for extended sessions of the Committee, which were particularly important for preparing comments on the various articles of the Convention. With regard to the World Conference on Human Rights, members of the Committee also thought that the gender aspect was essential to all Conference deliberations. It might be helpful if the Centre for Social Development and Humanitarian Affairs were to prepare a short document outlining the relationship between human rights and women's rights.

11. Ms. ANSTEE (Director-General of the United Nations Office at Vienna) said that the Office would make every effort to increase the resources available to the Committee, in cooperation with Governments and the Secretariat. It would look carefully into the idea of a working paper on the relationship between human rights and women's rights. "Mainstreaming" was very important: women's issues were not separate from other human rights issues and must be integrated with them.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second periodic report of Czechoslovakia (CEDAW/C/5/Add.26 and CEDAW/C/13/Add.25)

12. At the invitation of the Chairperson, Ms. Ryslinkova (Czechoslovakia) took a place at the Committee table.

13. Ms. RYSLINKOVA (Czechoslovakia) said that since her country's second periodic report had been prepared, revolutionary political and social changes had swept the country. The totalitarian regime had collapsed and been replaced by a pluralistic democracy based on the freedom of each individual and the realistic exercise of his or her rights. Free elections had been held for the first time in 40 years and the country's economy was being transformed into a free-market economy.

14. The second periodic report, which had been published in July 1989, naturally did not reflect that new situation. It was based on the concept of a centrally-directed society and presented a largely idealized view of the situation of women's rights, the role of the communist-controlled Czechoslovak Union of Women, the Czechoslovak Legal Code and so on. In reality, certain significant documents, such as those of the Nairobi Conference, had not been published in Czechoslovakia for ideological reasons and Government bodies had not dealt systematically with women's issues, with the exception of women's right to work and to social security and their participation in political life. There had also been an excessive feminization of some areas of employment such as education.

15. The report did summarize the problems faced by women and families in the period 1986-1988, but it took an overly optimistic view. Clearly, it would be possible to take a more complex and objective view of the situation of women's rights in Czechoslovakia only in the next periodic report, to be submitted by the end of the year.

16. The fundamental changes that had taken place in her country in 1990 and 1991 had affected human rights; legislation, where the paternalistic approach to women and families had been abandoned; social and economic policy; and, indirectly, institutional guarantees. A Government policy had been adopted in 1991 which took into account both the Convention on the Elimination of All Forms of Discrimination against Women and the Covention on the Rights of the Child.

17. Although Czechoslovakia was a signatory to the Convention and had participated in the Nairobi Conference, before 1990 neither the Government nor any other body had attempted to implement the Forward-looking Strategies; they had not even been published in Czechoslovakia because of the former regime's distorted concept of equality for women. Czechoslovakia had yet to take up the socio-economic and action programmes promoting equal opportunity for women adopted by the European Communities.

(Ms. Ryslinkova, Czechoslovakia)

18. The present Government was well aware that the status of women in a society was an important indicator of its overall level of civilization, and that the problem of true equality could not be viewed in isolation from the overall socio-economic situation and the need to create the fundamental conditions for comprehensive social development. High social status for women, together with the opportunity and freedom to combine motherhood with a career, were characteristic of the most advanced countries.

19. The transformation of her country's economy had given rise to social uncertainty and, for a period of time, to a real decline in living standards. The inevitable social impact of the economic reform was bound to be viewed in different ways, depending on attitudes to the social certainties of the past. Seeking to promote true equality for women in that atmosphere would therefore require the ongoing attention of the State, Government bodies, research institutes and civic and non-governmental organizations.

20. The Principles of the Policy of the Government of Czechoslovakia in the Sphere of Implementation of the Rights of Women, adopted by the Federal Government in February 1991, had been drafted on the basis of the experience of such countries as Austria, Germany and Sweden in solving social problems and the experience gained from sessions of the Commission on the Status of Women and other international bodies. They also reflected the newly adopted Charter of Fundamental Human Rights and Freedoms and the Convention on the Rights of the Child, which her country had ratified.

21. Ministries and institutions at the level of the Federation and of the two Republics and women's organizations had participated in formulating the Principles. However, the Principles did not yet embody the necessary national mechanisms for their implementation. That situation reflected the current problems of division of powers between the Federation and the two Republics. The Principles were to be translated into specific measures in 1992 and 1993. Those measures included the country's participation in the International Year of the Family and also in the World Conference on Women, which her Government was interested in hosting. The proposed measures would be widely discussed and would assume special relevance in the pre-election period culminating in June 1992, since the current representation of women in parliaments, governments and other leading posts was grossly insufficient.

22. The Committee's reservations concerning the second periodic report had been largely superseded by the changes that had taken place in Czechoslovakia since November 1989. A new, detailed report would be submitted by the end of the year. In the meantime, she would answer the questions transmitted by the Committee to her Government (CEDAW/C/1992/CRP.2).

(Ms. Ryslinkova, Czechoslovakia)

Articles 1-4

23. No specific anti-discrimination laws allowing women to complain about discrimination had been introduced into the legal system and there were no such laws in the draft of the new Constitution. Although there were no laws which would qualify as discriminatory, that did not mean that there was no de facto discrimination. One of the roles of the new society was to identify forms of discrimination so as to better prevent discrimination in the legal system.

24. The abolition of the leading role of the Communist Party of Czechoslovakia had resulted in the loss of power of related organizations such as the Czechoslovak Union of Women. There had not been time for new women's organizations to be formed prior to the first free elections in June 1989. A Charter of Fundamental Human Rights and Freedoms had been adopted as an integral part of the Constitution. It guaranteed women an equal position in society in a more explicit way than before; in some areas, it might have the effect of taking away some of their advantages.

25. Women members of Parliament were taking part in drafting the Czech, Slovak and Federal constitutions. Coordination of the drafts prepared by the three parliaments, and commentaries on women's questions made by other institutions, independent organizations and political parties, would be the responsibility of the Deputy Prime Minister and of the Minister of Control, the only woman Minister in the Federal Government.

26. Up to September 1990, activities relating to women's rights had been coordinated by the Ministry of Labour and Social Affairs. Under article 22 of the Constitutional Law on the Czechoslovak Federation, oversight of human rights, including women's rights, had been entrusted to the Deputy Prime Minister. Resolution No. 120 of February 1991 made the Minister of Control jointly responsible for working out Government policy for the implementation of women's rights and for designing specific measures. Accordingly, the Minister of Control would coordinate all future activities in respect of State policy towards women. Although no federal committee responsible for women's issues and family issues was to be established for the time being, a governmental committee on women and children had been set up in the Slovak Republic. Preparatory work was under way on the establishment of commissions on those issues in all three parliaments.

27. The Federal Ministry of Labour and Social Affairs did not have a separate budget for women's issues. Since the governmental committee on women and children had only recently been established in the Slovak Republic, information on its organization, budget and achievements was not yet available. It would operate as a coordinating body for the Government and non-governmental organizations.

(Ms. Ryslinkova, Czechoslovakia)

28. Since the second periodic report had been prepared in 1988, under the communist regime, it was not clear whether or to what extent the Committee's recommendations had been taken into consideration. The only legal women's organization under the old regime had been the Czechoslovak Union of Women. It was not clear whether that organization had had any part in preparing the report. There were 14 women's organizations registered in Czechoslovakia. Their membership varied from hundreds to alleged several hundreds of thousands (in the case of the former Czechoslovak Union of Women, which was gradually being transformed into smaller organizations).

Article 5

29. One of the basic points in the Principles was financial support for whichever of the parents took care of a child under the age of three. The new family policy was supposed to do the opposite of encouraging women to return to traditional roles. However, the new political and economic system and the market economy system might have that effect, above all because of unemployment. More than 50 per cent of unemployed persons were currently women and the number of single-income households could be expected to grow.

30. Both sexes received the same education; egalitarian education had been necessary in a society that supplied poor services to the population, requiring men and women alike to perform both housekeeping and maintenance activities in the home. Now that the State no longer controlled education, some girls' schools had been established; it seemed that even 40 years of egalitarian education had not fully changed the stereotyped images of men and women.

31. The basic measure attracting men into domestic work and child rearing was the parental leave and allowance accorded under the same rules to either of the parents. There were no measures, except for education, to ensure that that opportunity was used on a larger scale.

Violence against women (articles 2, 5, 11, 12 and 16)

32. There were no plans to introduce special laws and protective measures for women.

Articles 7 and 8

33. Approximately 10 per cent of the members of the three parliaments were currently women; the Speaker of the Czech Parliament was also a woman. There was one woman minister in each of the three governments. In some ministries such as the newly formed Ministry of Privatization, the number of women was very high. It was not possible to use temporary special measures, as they had been used by the previous regime to ensure a majority of Communist Party members in those institutions and were very unpopular. However, the political parties presenting the greatest number of candidates for parliaments and ministries were aware of the problem and it could become an issue in the upcoming election campaign.

(Ms. Ryslinkova, Czechoslovakia)

34. The Zonta Organization was now established in Czechoslovakia; there was also an Organization of Women Entrepreneurs. The old Czechoslovak Union of Women was being restructured. There were 14 registered women's organizations. Women were active in political parties, trade unions and other political organizations; more details would be provided in the third periodic report.

35. There were six women ambassadors out of a total of 65 (including the Ambassadors to Australia, Austria and the United States of America) and 19 women diplomats out of a total of 400. The proportion of women in each of the three parliaments varied between 8 and 12 per cent, while the number of female heads of department in various ministries ranged from 10 to 60 per cent. There were no figures on the number of women in non-governmental organizations.

Article 10

36. The high percentage of women in higher education institutions was a result of many positive pressures, including the generally accepted notion of the equal rights and capabilities of men and women. Moreover, the Communist Party's policy of sending men into jobs in production, which could be considered a form of discrimination against men, had left a greater percentage of women in higher education.

37. The number of women in the vocational training and technical areas was relatively small because many technical positions involved hard physical labour. Moreover, since the Communist Party had undervalued intellectual work, men seeking higher salaries had opted for technical education and vocational training rather than training in such areas as education (where over 71 per cent of students were women). Women also tended to avoid the production sphere because working hours were less flexible than in other areas.

38. Few women achieved leadership roles in the professions, in part because in over 90 per cent of families, it was the wife who stayed at home following the birth of a child even though the law gave equal parental leave rights to both parents. Although the law guaranteed that mothers could return to their jobs, most women preferred to take jobs involving less responsibility. The challenge was to change the priorities of both women and men so that, as their children grew older, women could assume more responsibilities in the work place. Reliable and affordable child care was needed. Under the socialist system, child-care services had been cheap enough to be universally accessible but had often been of such poor quality that women had been reluctant to use them; under the new market economy, child-care services were being improved but were becoming too expensive for many families. Until recently, there had been very few families that had not felt the need for two incomes. The trend towards single-income families was welcomed by the general population and was seen by most women as the freedom to choose, which had previously been denied them.

(Ms. Ryslinkova, Czechoslovakia)

39. By law, all population groups had the same right to education and, until recently, education had been free at all levels. In practice, however, gypsies had received an inferior education as the educational system did not suit their way of life. There were no special schools for gypsies. The new Government was making efforts to rectify the situation, for example, by introducing the gypsy language at some schools and forming departments of gypsy culture at universities, but the results could not yet be evaluated. There were special schools for disabled children; the Government was currently making plans for mainstreaming such children.

Article 11

40. No practical measures had as yet been adopted with regard to equal pay and job evaluation. The right to equal wages was fully guaranteed by legislative measures; since wage inequalities arose during the implementation of the right to wages, the mechanism for the implementation of that right would have to be targeted.

41. Women currently accounted for between 55 and 65 per cent of the total number of unemployed persons, depending on the region. The highest proportion of unemployed women was 65 per cent, in Prague. High-school graduates were the hardest hit by unemployment; tax incentives had been introduced to encourage employers to hire them, and appeared to be effective.

42. It was not lack of skills but the non-availability of child care that discouraged women from accepting high-level responsibilities. However, more than 80 per cent of women of working age were employed. The new economic policy and the transition to a market economy were changing that situation; those trends would be described in the third periodic report.

43. The sectors of the labour market which excluded women were those requiring hard physical labour; wages had been higher for such work, and still were in State enterprises. There were no data on private companies.

44. Parental leave had been extended to fathers in 1987, although few fathers took advantage of that entitlement as it was not considered socially acceptable. The law on maternity allowances had been replaced by a new law under which both parents received a parental allowance during the first three years of the child's life. That allowance did not depend on the number of children; it currently amounted to about two fifths of the minimum wage and could be combined with remunerated activities up to a certain level. The new law reflected the new philosophy of national family policy that the two partners should decide for themselves how to divide family responsibilities.

45. Until recently, nurseries for working parents had been very cheap but of poor quality. Under pressure to make improvements, many nurseries had been forced to close down. The situation had not yet stabilized and further information would be provided in the third periodic report.

(Ms. Ryslinkova, Czechoslovakia)

46. The Government was preparing to submit to Parliament for ratification ILO Convention No. 89 concerning Night Work of Women Employed in Industry, together with the 1990 Protocol, so that those instruments could be harmonized with the new Labour Code to be implemented in January 1993.

47. The new Government had not changed the system of social benefits. Women were treated as individuals, although there were some exceptions: wives of soldiers (there was no compulsory military service for women) could be entitled to a special allowance. A widower's pension had been introduced, but was not available under the same conditions as the widow's pension. On the question of social benefits for unemployed women, such women were subject to the same conditions as men.

48. In response to the question about women and the informal sector, under the socialist economy the only informal sector had been the black market, which had provided all manner of services including hard currency exchange and prostitution. Among the services provided essentially by women were cleaning, babysitting, sewing and, in rural areas, growing and selling produce. It was difficult to even define the informal sector, as a new labour code that would also cover the emerging private sector was still being prepared. Apart from the fact that women had the right to work part-time, no information was available on women's lack of leisure time owing to their combined family and work responsibilities.

Article 12

49. In 1992, the State would continue to absorb the full cost of health care, which meant that women would not yet have to contribute. Additional information on the new health care legislation would be provided to the Committee in the third periodic report. On the question of AIDS education and preventive measures for women, information on AIDS was provided in schools to children aged 14 and 15. The Ministry of Health Care had recently launched an information campaign on AIDS prevention, although it did not specifically include measures for women. Two national programmes for AIDS prevention included education, protective measures and special health care institutions for HIV-positive persons. Both programmes were being modified in order to conform to international principles on AIDS prevention, such as anonymity and voluntary testing. Previously, AIDS testing had been mandatory for certain groups, such as persons who had lived abroad for a certain length of time. As of November 1991, there had been 25 cases of AIDS; a further 128 people, including 9 women, were HIV positive.

50. National family policy did not include provisions on family planning but dealt mainly with parental leave and allowances, tax policy and social security issues. Further details would be provided in the third periodic report. With regard to sex education, family planning and contraception, the opening of the country's borders had increased the availability and range of

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contraceptives on the market. There were not enough provisions on sex education, family planning and contraceptives to have an effect on the fertility rate. For the past five years, the rate had remained stable at approximately two children per couple.

Article 16

51. In the event of divorce, a two-part allowance paid by the non-custodial parent covered child support and the children's education and remunerated activities connected with the care of the children. Unless agreed otherwise, property acquired jointly by the couple during the marriage was divided equally upon divorce. Unless the marital residence had been the private property of one of them, it was usually awarded to the parent who had custody of the children, generally the mother. Thus far, there had been no experimental studies or research to evaluate women's unpaid domestic work.

52. Ms. NIKOLAEVA asked whether the sweeping social and economic changes that had recently taken place in Czechoslovakia had helped women. It would be interesting to know which areas of society had been destabilized and on which areas the Government was focusing its attention. The Commission on the Status of Women had observed that women in Czechoslovakia strongly advocated the strengthening of the traditional family. In that connection, she wondered whether the already high rate of divorce in Czechoslovakia was on the rise, whether women filed for a divorce more often than men, and how many divorce suits were actually brought before the courts. If the man's conduct was frequently the cause of divorce, she would appreciate information on measures taken to curb violence by men against women.

53. The report made no mention of women's movements and the statement by the Czechoslovak representative had not described the role of women's movements in Czechoslovak society. She would appreciate more information in that regard. It would also be useful to know why the Government had not shown a greater interest in Czechoslovakia's 14 women's organizations and had made no effort to harness their potential for implementing reforms.

54. Ms. LAIOU-ANTONIOU asked why specific machinery for dealing with women's issues had not been established and whether that was because Czechoslovakia already had human rights machinery in place. Specific mechanisms for women were necessary, however, especially since the unemployment rate for women had climbed and Czechoslovak women appeared to be falling into the same trap as Western women who worked part-time. There was even talk of Czechoslovak women staying at home, which would be very convenient for a Government facing economic problems and planning to reduce allocations to the kinds of social services that often employed women. The new democracy could ill afford to do without the talents and potential of women.

(Ms. Laiou-Antoniou)

55. At a recent meeting held at Athens in cooperation with the Council of Europe, Czechoslovak representatives had indicated that programmes and films portraying violence were replacing cultural programmes on television. She was concerned about that and other negative influences of the Western countries. Another danger she foresaw was that, with the privatization of State-controlled enterprises, fewer women managers would be employed. She wondered why the large number of women in higher education and other professions had not organized themselves politically. She also wished to know whether special training programmes were offered to unskilled workers in textile factories that had been closed down in the transition to a free-market economy, or whether Czechoslovakia was working with the retraining programme of the European Community. Lastly, it was regrettable that a new democracy could boast of so few women ministers.

56. Ms. BUSTELO GARCIA del REAL said that she looked forward to the third periodic report of Czechoslovakia, which would contain information that was not available at the current session because of the political and economic situation in that country. In anticipation of the updated report, she wished to stress that the Committee would appreciate information under article 6 of the Convention and others concerning violence against women. As other Committee members had indicated, national and international experience had demonstrated the importance of establishing specific mechanisms to promote women's equality. To the extent possible, available resources should be earmarked for women's institutions, and channels of communication should be opened between the women's movement and political and union leaders.

57. She also wondered whether women were seizing the opportunity to become entrepreneurs as the transition was made to a free-market economy. That was an area in which Western women had had to overcome many obstacles. Czechoslovak women had an opportunity to ensure, from the outset, that they were placed on an equal footing with men in entrepreneurship, and they should request sufficient Government support to that end.

58. Ms. AKAMATSU said that, while she had been disappointed by Czechoslovakia's outdated second periodic report, she understood why some information could not yet be provided. She, too, was concerned about the possible danger that women's status would be diminished under the national family policy. She expressed disappointment that, in Czechoslovakia, it was considered exceptional, and even humiliating, for fathers to take parental leave, as it was her understanding that, under the socialist system, it had been equally acceptable for the father or the mother to take such leave.

59. Ms. ABAKA also cautioned that if, under Czechoslovakia's national family policy, mothers tended to stay at home and fathers worked, girls and young women would be discouraged from pursuing higher education. She would also appreciate clarification of the legislative reforms concerning prostitution, which seemed indirectly to legalize it.

60. Ms. BRAVO NUÑEZ DE RAMSEY expressed concern that women and children should not become the unintended victims of the economic and social changes taking place in Czechoslovakia. For example, certain day-care centres were being closed for budgetary reasons and that would deprive working women of the necessary assistance. She also wondered whether certain provisions of national family policy might actually be detrimental to women. She would appreciate clarification of the policy of promoting part-time work for women and, specifically, whether it meant that their salaries would be reduced as well, for that would only increase women's economic dependence on men. If on the other hand women were to be compensated for part-time work and also for their work as mothers and homemakers, that would entail other risks.

61. Ms. CORTI said that the Czechoslovak presentation confirmed the impression she had had on a recent visit there that both the Czechoslovak authorities and women themselves were generally passive about women's issues. Czechoslovakia was moving away from a system in which everything had been taken care of by the Government towards a system that required greater initiative. She sensed that the Czechoslovak people still did not understand how to derive benefits from a democratic system. For example, there was general discontent among women about their twofold responsibilities - at work and in the home - but they had not taken any action. The 14 women's organizations in Czechoslovakia still had no programme or specific goals, and discrimination as a term and a concept had yet to be defined. She feared that further delays would result in lost opportunities.

62. In reply to questions under article 4, the Czechoslovak representative had indicated that special temporary measures were avoided because they were associated with the former regime. Yet, at times, such measures could well be the most effective means of resolving women's problems. She wondered about the consequences of early marriage, which was more frequent in Czechoslovakia than in other European countries, for young career women, particularly as day-care centres were closing. She also wondered about the effects of unemployment on the many two-income families. It was not clear why the current Government was not devoting sufficient attention to the establishment of mechanisms to deal specifically with women's issues. She would appreciate an explanation as to why the Czech Republic, whose legislation was far more advanced than that of the Slovak Republic, had no organization for the protection of women and children while the Slovak Republic did.

63. It would be interesting to have information on contraceptives - who prescribed them and whether they were distributed free of charge. She wished to know the status of new Czechoslovak legislation on abortion. Lastly, she referred to the Czechoslovak representative's remark that there was no informal sector as such, although women provided services such as domestic help. She did not understand how an economy in transition could not have an informal sector. She wished to know whether there were plans to change the model of employment for women or increase men's share of responsibilities in the home.

64. Ms. SCHOPP-SCHILLING thanked the representative of Czechoslovakia for her frank statement. It was absolutely necessary that Czechoslovakia should establish national machinery to deal with women's issues. The same recommendation had been made in respect of all Central and Eastern European countries at the conference of the Organization for Economic Cooperation and Development that had taken place in Paris in September 1991, at which the Czechoslovak Government had been represented at a very high level. Her own country, Germany, had national machinery, and the political parties had supported the establishment of machinery to deal with women's issues at the state and municipal levels as well in what were now known as the new states, the former German Democratic Republic. Such machinery made it possible to ensure that women's issues were put on the political agenda.

65. She had the impression that in Czechoslovakia women's issues were considered very much in the light of family issues. That approach gave rise to problems, since women should be treated as individuals in their own right.

66. With regard to the formulation of social and labour-market policies, it was necessary, once again, to decide whether women were to be treated as individuals, as was the case in Sweden, or as members of family units, as was mostly the case in Germany. Since the employment rate for women had been so high in the former Czechoslovak Socialist Republic, she saw no reason why Czechoslovakia should shift its focus away from considering men and women as individuals. Germany was in the process of shifting its emphasis away from women as members of family units. Czechoslovakia had an opportunity to start afresh and could thus avoid making some of the mistakes which other countries had made some 40 years earlier.

67. Germany was facing labour-market problems similar to those experienced by Czechoslovakia. She was therefore very conscious of the importance of making provision for equal opportunity officers when employment offices were established. The role of such officers would be to ensure that their colleagues did not adhere to stereotypes, so as to break through the sex-segregated labour market. They would have to see to it that men and women received training and further education financed by the employment authorities in numbers proportionate to their respective unemployment rates, which meant that women should actually have a greater share of the opportunities in question. Moreover, in establishing its labour-market policies, the Czechoslovak Government might also consider introducing quotas for women, or at least numerical goals, in order to ensure that they received fair treatment.

68. Ms. GONZALEZ MARTINEZ expressed concern at the child-care situation and the level of violence in Czechoslovakia. Violence against women must be treated as a separate issue. She felt strongly that it was inappropriate to attempt to ensure that similar policies were adopted in all countries. Each individual country must choose its own policies. However, she wished to suggest that in its next report, the Czechoslovak Government should provide more information on the impact of social change on women with particular reference to article 6 of the Convention. She would be interested to know, for example, whether there had been an increase in prostitution.

(Ms. Gonzalez Martinez)

69. Moreover, she would appreciate clarification of the term "excessive feminization" used by the representative of Czechoslovakia in her introductory statement. She also understood that there was a Ministry of Control. It would be helpful for the Committee to have more information in that connection. Lastly, she was concerned about the situation of the gypsy minority in Czechoslovakia, particularly with respect to the implementation of article 12 of the Convention. For example, it was not clear whether the practice of sterilizing gypsy women had actually come to an end.

70. Ms. UKEJE said that the report showed that Czechoslovakia was making a commendable effort to adjust to a new system.

71. With respect to article 6 of the Convention, she asked whether the Czechoslovak Government had deliberately legalized prostitution. With reference to article 11, she noted that women were slow to accept positions of responsibility because they feared that they would be unable to combine such responsibility with their domestic commitments. She wondered whether any steps were being taken to encourage women to accept high-level positions. It was only by accepting such positions that they would be able to influence policy at a high level.

72. Ms. ILIC said that she would like to know how readily available family planning counselling and contraceptives were in Czechoslovakia. She wondered, for example, whether the cost of such counselling and of contraceptives had risen significantly. She was also concerned to know how maternity leave and family benefits had been affected by the transition to a market economy.

73. Ms. RYSLINKOVA (Czechoslovakia) said that her Government's fundamental problem was that it was difficult to identify the issues it must tackle. Under the previous regime, virtually all women had been employed and it had been a specific goal of the Communist Party during a given period to abolish the role of the family in society. The aim had been that the family should gradually disappear. Those two factors were still having a major influence on views of what was desirable or undesirable in Czechoslovak society. It was owing to such factors that her Government had not considered it absolutely necessary to set up machinery to deal with women's issues.

74. On the issue of violence, she said that, as a police State, the Czechoslovak Socialist Republic had been able to ensure that violence was kept to a minimum. Her country was now facing violence on a far greater scale and did not know how to deal with it. She took due note of the view expressed in the Committee that violence against women must be treated as a separate issue. She would be sure to transmit that view to her Government.

75. Where child care was concerned, her country was still having to cope with the effects of the policies of the Czechoslovak Socialist Republic. Earlier, it had been the norm for babies and small children to be placed in nursery schools or kindergartens. That fact heavily influenced current attitudes

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towards the institutions in question. She was, however, fully aware that women's problems could be solved only if provision was made for child care of an acceptable quality. Unfortunately, the necessary action called for a level of financial resources that was currently simply not available.

76. A number of speakers had raised points concerning parental leave. Under the relevant legislation, which was very new, mothers and fathers had equal rights and were entitled to the same benefits. It must be borne in mind, however, that the Government had no way of forcing private companies to permit mothers or fathers who wished to take parental leave to return to their jobs later. She strongly agreed that steps must be taken to encourage more fathers to take parental leave.

77. The issue of prostitution had also been raised by a number of speakers. The Czechoslovak Socialist Republic had not only considered prostitution illegal, but had claimed that the problem simply did not exist. In fact, there had been prostitution on a relatively large scale in Prague, owing to the presence of a clientele in possession of hard currency. Her Government had decided to legalize prostitution, since prohibiting it had been clearly ineffective. She had to acknowledge that no real effort was currently being made to combat prostitution in her country.

78. The CHAIRPERSON thanked the Czechoslovak representative for responding to the points raised by the members of the Committee.

79. Speaking in her personal capacity, she suggested that the Government of Czechoslovakia should consider taking specific steps to ensure that the text of the Convention was widely disseminated and discussed in the country.

The meeting rose at 1 p.m.